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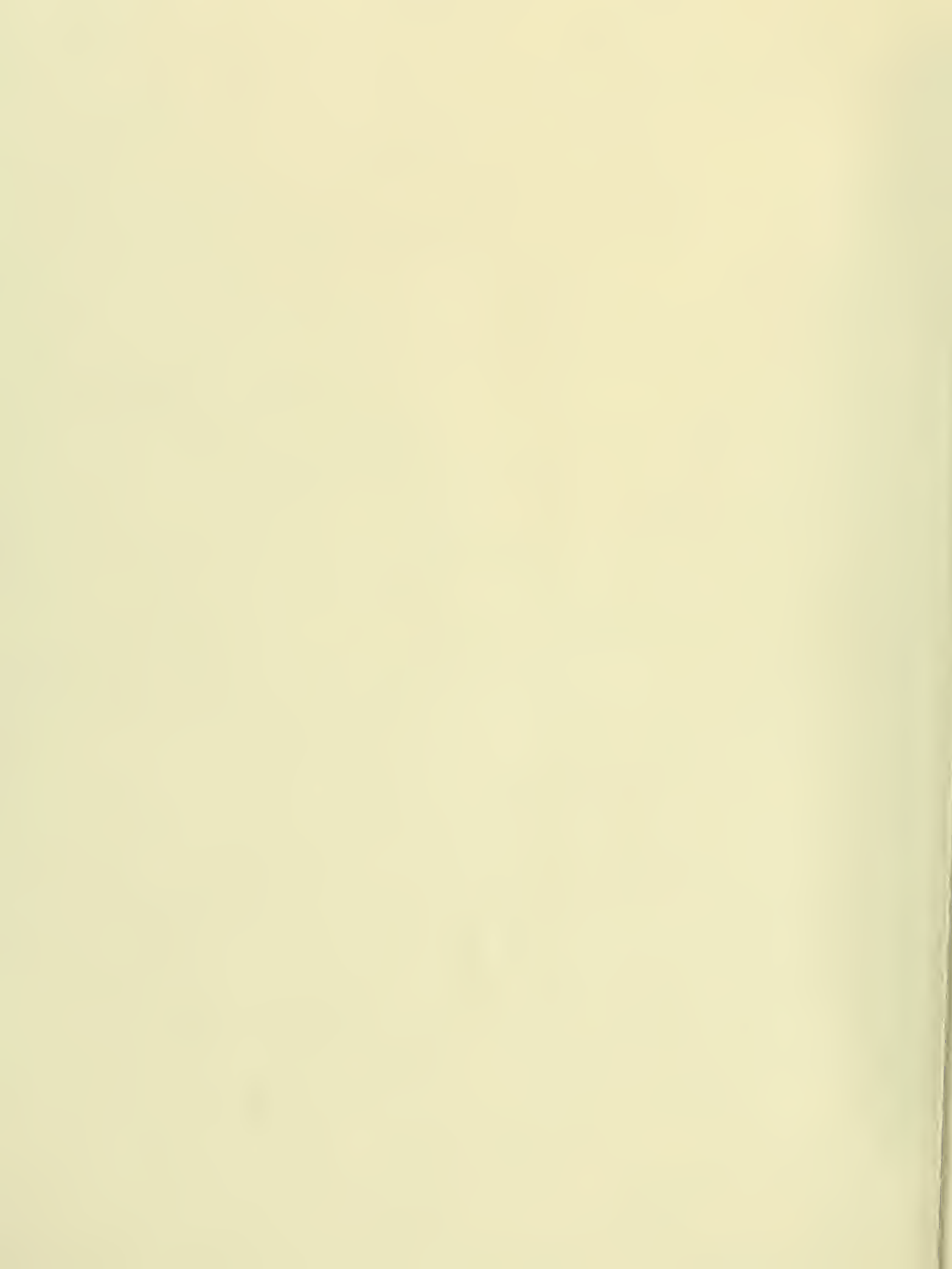


San Francisco Public Library

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City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Tony Hall, Bevan Dufty and Matt Gonzalez

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Clerk: Deborah Muccino

Wednesday, January 07, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
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AGENDA CHANGES

DOCUMENTS DEPT.

DEC 29 2003

REGULAR AGENDA

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1. 031989 [Transfer of City-Owned Property - Public Notice]
Supervisors Dufty, Ma
Ordinance amending the San Francisco Administrative Code by adding Section 23.7 to require public notice before the Board of Supervisors may approve the sale, transfer, or other conveyance of City-owned property.

12/9/03, RECEIVED AND ASSIGNED to Rules Committee

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

2. 032006 [Settlement of Charges]

Resolution approving the settlement of California Department of Fair Employment and Housing and Equal Employment Opportunity Commission charges, filed by Ana Guevara on September 20, 2002, against the City and County of San Francisco alleging failure to reasonably accommodate and failure to engage in the interactive process under the disability laws. On September 17, 2003, Ana Guevara made a pre-litigation settlement demand to the City regarding her claims. (City Attorney)

12/9/03, RECEIVED AND ASSIGNED to Rules Committee

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.



LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

There are no items currently pending under the 30 day rule

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

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翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

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City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Tony Hall, Bevan Dufty and Matt Gonzalez

Clerk: Deborah Muccino

City Hall
1 Dr Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, January 07, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Members Present: Tony Hall, Bevan Dufty, Matt Gonzalez.

MEETING CONVENED

DOCUMENTS DEPT.

The meeting convened at 9:45 a.m.

JAN - 8 2004

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031989 [Transfer of City-Owned Property - Public Notice] Supervisors Dufty, Ma, Hall

Ordinance amending the San Francisco Administrative Code by adding Section 23.7 to require public notice before the Board of Supervisors may approve the sale, transfer, or other conveyance of City-owned property.
12/9/03, RECEIVED AND ASSIGNED to Rules Committee.

*Heard in committee. Speakers: Jim Keith, Spiers Construction; Cheryl Adams, Deputy City Attorney.
Supervisor Hall requested to be added as a co-sponsor.*

RECOMMENDED by the following vote:

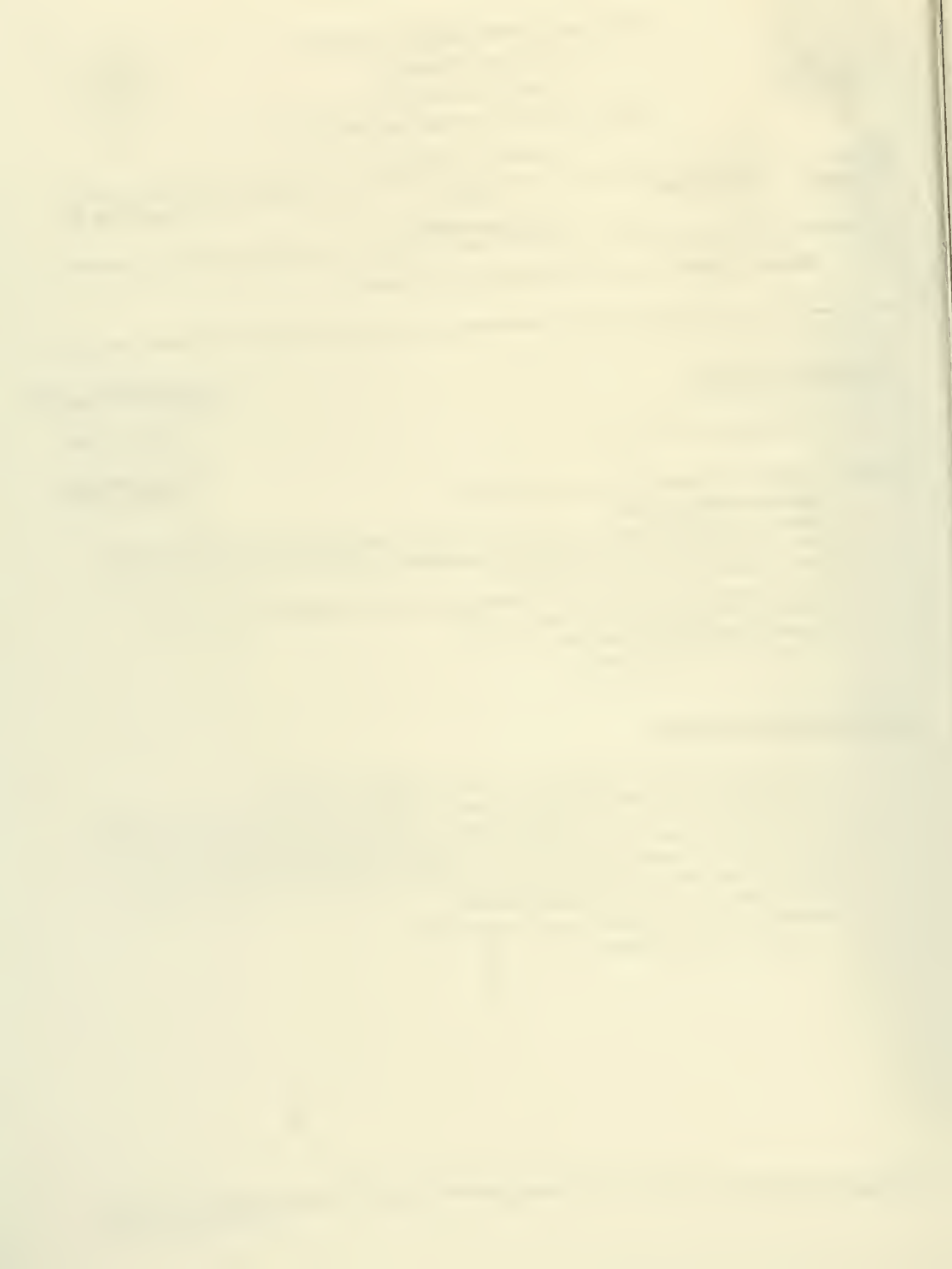
Ayes: 3 - Hall, Dufty, Gonzalez

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.
Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez



032006 [Settlement of Charges]

Resolution approving the settlement of California Department of Fair Employment and Housing and Equal Employment Opportunity Commission charges, filed by Ana Guevara on September 20, 2002, against the City and County of San Francisco alleging failure to reasonably accommodate and failure to engage in the interactive process under the disability laws. On September 17, 2003, Ana Guevara made a pre-litigation settlement demand to the City regarding her claims. (City Attorney)

12/9/03, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Cheryl Adams, Deputy City Attorney.

RECOMMENDED. by the following vote:

Ayes: 3 - Hall, Duffy, Gonzalez

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 3 - Hall, Duffy, Gonzalez

ADJOURNMENT

The meeting adjourned at 10:15 a.m.





City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Meeting Agenda

Rules Committee

Members: Tony Hall, Bevan Duffy and Matt Gonzalez

Clerk: Deborah Muccino

Wednesday, January 14, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

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AGENDA CHANGES

DOCUMENTS DEPT.

REGULAR AGENDA

JAN - 9 2004

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1. 031575 [Appointment]

Hearing to consider appointing three members to the Treasure Island Development Authority Citizens Advisory Board.

3 seats being considered

Vacant seat, succeeding Amy Hutzler, resigned, seat 6, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four-year term ending January 1, 2005.

Vacant seat, succeeding Alexander Clemens, resigned, seat 7, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four-year term ending January 1, 2005.

Vacant seat, succeeding Arnold Levine, resigned, seat 11, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four-year term ending January 1, 2005.

9/16/03, RECEIVED AND ASSIGNED to Rules Committee

3 Seats/1 Applicant

Manuel Jimenez, seat 6, 7 or 11.

2. 040050 [Appointment]

Hearing to consider appointing one member to the Commission on Aging Advisory Council.

1 seat being considered

Vacant seat, succeeding Roger Langford, term expired, seat 10, must be a nominee of District 5 Supervisor for the unexpired portion of a two year term ending March 31, 2005.

1/7/04, RECEIVED AND ASSIGNED to Rules Committee.

1 Seat/1 Applicant

Jim Dorenkott, seat 10

3. **040041** **[Appointment]**
Hearing to consider appointing two members to the San Francisco Museum and Historical Society Advisory Committee.
- 2 Seats Being Considered
Vacant Seat, succeeding Susan Stryker, term expired, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.
Vacant Seat, succeeding Philip Choy, term expired, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.
- 1/5/04, RECEIVED AND ASSIGNED to Rules Committee
2 Seats/2 Applicants
Susan Stryker, seat 1
Philip Choy, seat 2
4. **040042** **[Appointment]**
Hearing to consider appointing one member to the San Francisco Health Authority.
- 1 Seat Being Considered
Vacant Seat, Succeeding Sophie Wong, term expired, seat 6, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization for a 3 year term ending January 15, 2007.
- 1/5/04, RECEIVED AND ASSIGNED to Rules Committee.
1 Seat/1 Applicant
Linda M. Yu Bien, (residency waiver required) seat 6
5. **031508** **[Amending the Rules of the Board to provide the Office of Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies]**
Supervisor Daly
Motion amending Rule No. 3.12 to the Rules of Order of the Board of Supervisors to provide a process that will allow the Office of Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies.
- 8/26/03, RECEIVED AND ASSIGNED to Rules Committee

ADJOURNMENT

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(Not to be considered at this meeting)

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RULES COMMITTEE
S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689

IMPORTANT HEARING NOTICE!!!

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100 Larkin Street Govt Information Center

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FIRST CLASS





City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Tony Hall, Bevan Dufty and Matt Gonzalez

Clerk: Deborah Muccino

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, January 14, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Members Present: Tony Hall, Bevan Dufty, Matt Gonzalez.

Meeting convened

The meeting convened at 9:40 a.m.

DOCUMENTS DEPT.

JAN 15 2004

SAN FRANCISCO
PUBLIC LIBRARY



031575 [Appointment]

Hearing to consider appointing three members to the Treasure Island Development Authority Citizens Advisory Board.

3 seats being considered

Vacant seat, succeeding Amy Hutzal, resigned, seat 6, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four-year term ending January 1, 2005.

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Vacant seat, succeeding Arnold Levine, resigned, seat 11, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four-year term ending January 1, 2005.

9/16/03, RECEIVED AND ASSIGNED TO Rules Committee.

Heard in committee. Speakers: Manuel Jimenez. Appointment of Manuel Jimenez, seat 6, recommended.

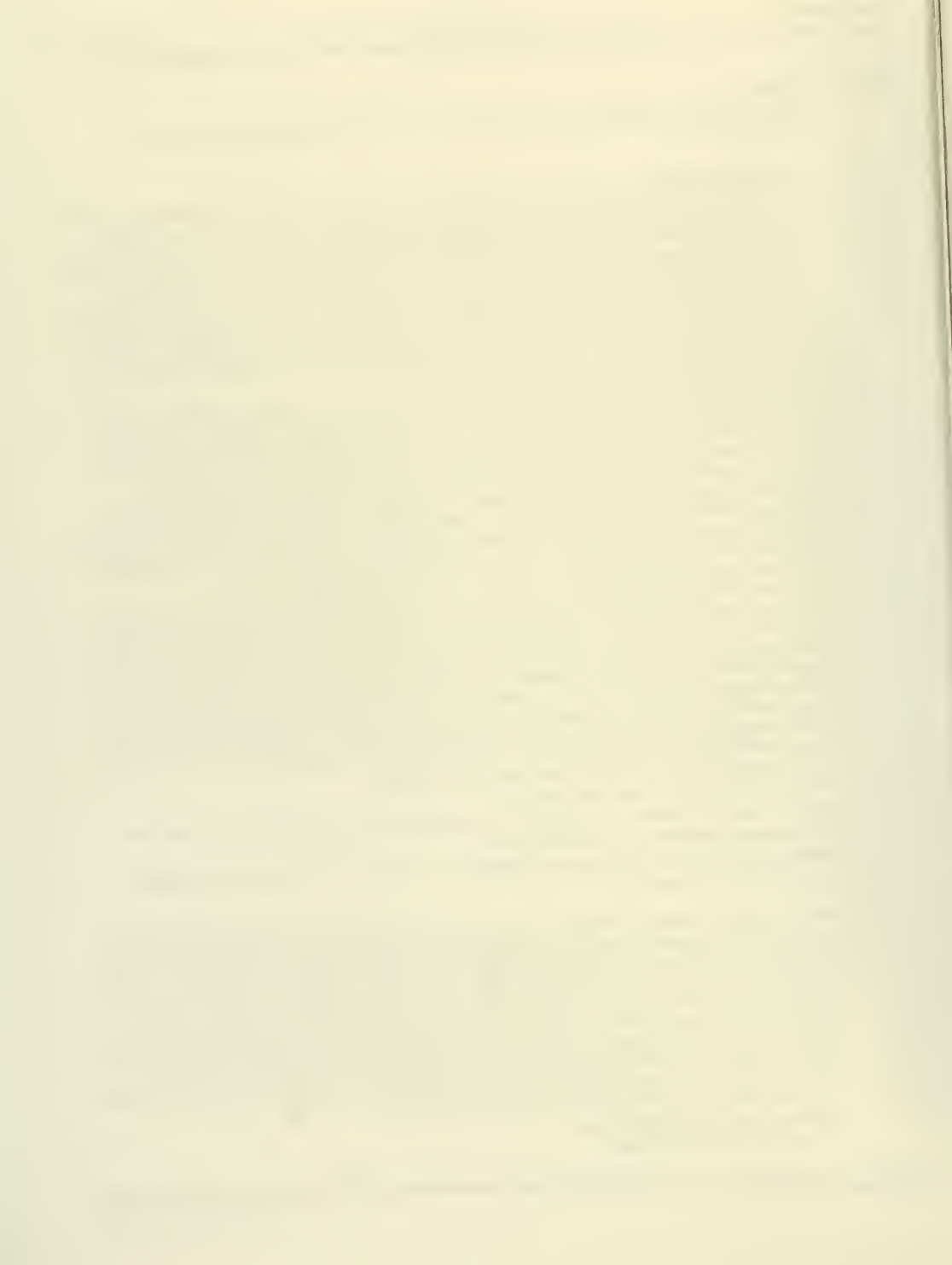
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Manuel Jimenez, term ending January 1, 2005 to the Treasure Island Development Authority Citizens Advisory Board.

Manuel Jimenez, succeeding Amy Hutzal, resigned, seat 6, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four-year term ending January 1, 2005.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Duffy, Gonzalez



040050 [Appointment]

Hearing to consider appointing one member to the Commission on Aging Advisory Council.

1 seat being considered

Vacant seat, succeeding Roger Langford, term expired, seat 10, must be a nominee of District 5 Supervisor for the unexpired portion of a two year term ending March 31, 2005.

1/7/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Jim Dorenkott. Appointment of Jim Dorenkott, seat 10, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Jim Dorenkott, term ending March 31, 2005 to the Commission on Aging Advisory Council.

Jim Dorenkott, succeeding Roger Langford, term expired, seat 10, must be a nominee of District 5 Supervisor for the unexpired portion of a two year term ending March 31, 2005.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Duffy, Gonzalez

040041 [Appointment]

Hearing to consider appointing two members to the San Francisco Museum and Historical Society Advisory Committee.

2 Seats Being Considered

Vacant Seat, succeeding Susan Stryker, term expired, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.

Vacant Seat, succeeding Philip Choy, term expired, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.

1/5/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: None. Susan Stryker, seat 1 and Philip Choy, seat 2, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Susan Stryker, and Philip Choy, terms expiring December 16, 2004, to the San Francisco Museum and Historical Society Advisory Committee.

Susan Stryker, succeeding herself, term expired, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.

Philip Choy, succeeding himself, term expired, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Duffy, Gonzalez

040042 [Appointment]

Hearing to consider appointing one member to the San Francisco Health Authority.

One seat being considered

Vacant seat, succeeding Sophie Wong, term expired, seat 6, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization for a 3 year term ending January 15, 2007.

1/5/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Linda M. Yu Bien; Michael Van Duren; Dick Hodgson. Appointment of Linda M. Yu Bien, seat 6, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Linda M. Yu Bien, term expiring January 15, 2007 to the San Francisco Health Authority.

Linda M. Yu Bien, succeeding Sophie Wong, term expired, seat 6, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization for a 3 year term ending January 15, 2007.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

031508 [Amending the Rules of the Board to provide the Office of Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies]**Supervisor Daly**

Motion amending Rule No. 3.12 to the Rules of Order of the Board of Supervisors to provide a process that will allow the Office of Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies.

8/26/03, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Gloria Young, Clerk of the Board.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

ADJOURNMENT

The meeting adjourned at 10: 35 a.m.





Meeting Agenda

Rules Committee

Members: Tony Hall, Bevan Duffy and Matt Gonzalez

Clerk: Deborah Muccino

Wednesday, January 28, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

JAN 26 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

1. 040043 [Appointment]
Hearing to consider appointing one member to the Treasury Oversight Committee.

1 Seat Being Considered

Vacant seat, succeeding Sarah Hart, resigned, seat 3, must represent the Superintendent of Schools; be nominated by the San Francisco Treasurer and be confirmed by the Board of Supervisors for the unexpired portion of a four year term ending June 5, 2005

1/5/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/ 1 applicant

Dr. George Kozitza, (residency waiver required) seat 3

2. 040084 **[Appointment]**
Hearing to consider appointing two members to the Biosciences Task Force.
- 2 seats being considered
Vacant seat, new position, seat 6, must be from an organized labor entity that represents employees of bioscience companies or research institutions, for the unexpired portion of a term ending April 22, 2004.
Vacant seat, new position, seat 9, must represent a neighborhood organization in the Mission, for the unexpired portion of a term ending April 22, 2004.
- 1/16/04, RECEIVED AND ASSIGNED to Rules Committee
2 seats/ 2 applicants
Ed Stuever, seat 6
My Do, seat 9
3. 040085 **[Appointment]**
Hearing to consider appointing one member to the Childhood Nutrition and Physical Activity Task Force.
- 1 seat being considered
Vacant seat, new position, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one year term ending December 12, 2004.
- 1/16/04, RECEIVED AND ASSIGNED to Rules Committee.
1 seat/ 1 applicant
Amina Adofoadom, seat 3
4. 031656 **[Campaign Consultants Lobbying Current and Former Clients]**
Supervisor Daly
Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.
- 9/30/02, RECEIVED AND ASSIGNED to Rules Committee.
10/21/03, SUBSTITUTED. Supervisor Newsom presented a substitute ordinance approved as to form, replacing a draft previously submitted.
10/21/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/20/2003.
10/29/03, REFERRED TO DEPARTMENT. Referred to Ethics Commission for Comment.
1/13/04, ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the January 28, 2004 meeting.
1/13/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title.
1/16/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for Comment

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

5. 040036 [Settlement of Claim - North Coast County Water District]

Resolution approving the settlement of the unlitigated claim filed by North Coast County Water District against San Francisco for \$86,247.48; claim was filed on August 29, 2003.

1/5/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

There are no items currently pending under the 30 day rule

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

RULES COMMITTEE
S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689

IMPORTANT HEARING NOTICE!!!



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Tony Hall, Bevan Dufty and Matt Gonzalez

Clerk: Deborah Muccino

City Hall
1 Dr Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, January 28, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Members Present: Tony Hall, Bevan Dufty, Matt Gonzalez.

MEETING CONVENED

The meeting convened at 9:51 a.m.

DOCUMENTS DEPT.

JAN 30 2004

SAN FRANCISCO
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040043 [Appointment]

Hearing to consider appointing one member to the Treasury Oversight Committee.

1 Seat Being Considered

Vacant seat, succeeding Sarah Hart, resigned, seat 3, must represent the Superintendent of Schools; be nominated by the San Francisco Treasurer and be confirmed by the Board of Supervisors for the unexpired portion of a four year term ending June 5, 2005

1/5/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Dr. George Kozitza; Shauna Margolis, Treasurer's office. Appointment of Dr. George Kozitza, seat 3 recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Dr. George Kozitza, term ending June 5, 2005 to the Treasury Oversight Committee. Residency requirement waived.

Dr. George Kozitza, (residency requirement waived) succeeding Sarah Hart, resigned, seat 3, must represent the Superintendent of Schools; be nominated by the San Francisco Treasurer and be confirmed by the Board of Supervisors for the unexpired portion of a four year term ending June 5, 2005

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

040084 [Appointment]

Hearing to consider appointing two members to the Biosciences Task Force.

2 seats being considered

Vacant seat, new position, seat 6, must be from an organized labor entity that represents employees of bioscience companies or research institutions, for the unexpired portion of a term ending April 22, 2004.

Vacant seat, new position, seat 9, must represent a neighborhood organization in the Mission, for the unexpired portion of a term ending April 22, 2004.

1/16/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Ed Stuever; My Do. Seat 6 Divided and continued to February 11, 2004. See file 040126.

DIVIDED.



Hearing to consider appointing one member to the Biosciences Task Force.

1 seat being considered

Vacant seat, new position, seat 9, must represent a neighborhood organization in the Mission, for the unexpired portion of a term ending April 22, 2004.

Appointment of My Do, seat 9, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing My Do, term ending April 22, 2004 to the Biosciences Task Force.

My Do, new position, seat 9, must represent a neighborhood organization in the Mission, for the unexpired portion of a term ending April 22, 2004.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

040126 [Appointment]

Hearing to consider appointing one member to the Biosciences Task Force.

1 seat being considered

Vacant seat, new position, seat 6, must be from an organized labor entity that represents employees of bioscience companies or research institutions, for the unexpired portion of a term ending April 22, 2004.

Continued to February 11, 2004. Divided from file 040084.

CONTINUED by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

040085 [Appointment]

Hearing to consider appointing one member to the Childhood Nutrition and Physical Activity Task Force.

1 seat being considered

Vacant seat, new position, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one year term ending December 12, 2004.

1/16/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez



031656 [Campaign Consultants Lobbying Current and Former Clients]**Supervisor Daly**

Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.

9/30/02, RECEIVED AND ASSIGNED to Rules Committee.

10/21/03, SUBSTITUTED. Supervisor Newsom presented a substitute ordinance approved as to form, replacing a draft previously submitted.

10/21/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/20/2003.

10/29/03, REFERRED TO DEPARTMENT. Referred to Ethics Commission for Comment.

1/13/04, ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the January 28, 2004 meeting.

1/13/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title.

1/16/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for Comment

Heard in committee. Speakers: Supervisor Chris Daly; Chad Jacobs, Deputy City Attorney.

1/28/04 Amendment of the whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

LITIGATION

040036 [Settlement of Claim - North Coast County Water District]

Resolution approving the settlement of the unlitigated claim filed by North Coast County Water District against San Francisco for \$86,247.48; claim was filed on August 29, 2003.

1/5/04, RECEIVED AND ASSIGNED to Rules Committee

Heard in committee. Speakers: None.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

ADJOURNMENT

The meeting adjourned at 10:29 a.m.



BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

DOCUMENTS DEPT

JAN 26 2004

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PUBLIC LIBRARY

NOTICE OF PUBLIC HEARING

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN to the general public that the Rules Committee will hold a public hearing on **February 4, 2004 at 9:30 a.m.** in Room 263 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the following:

File: 031876 Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on permit expeditors.

This legislation authorizes a new fee of \$100 which the permit expeditor shall pay annually to the Ethics Commission at the time of initial registration and each year at the time of re-registration. In addition, at the time of registration and reregistration, each permit expeditor shall pay a fee of \$50 for each client.

Data in support of the proposed fee is available in the above mentioned file of the Clerk of the Board of Supervisors ten days prior to the hearing. For more information regarding the above, telephone (415) 554-5184 or write to Clerk's Office, Board of Supervisors, Room 244, City Hall, San Francisco, CA 94102.

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Gloria L. Young, Clerk of the Board

POSTED: January 22, 2004





City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Tony Hall, Bevan Dufty and Matt Gonzalez

Clerk: Deborah Muccino

City Hall
1 Dr Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, February 04, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Members Present: Tony Hall, Bevan Dufty, Matt Gonzalez.

MEETING CONVENED

DOCUMENTS DEPT.

The meeting convened at 9:40 a.m.

FEB - 6 2004

SAN FRANCISCO
PUBLIC LIBRARY

031937 [City Hall - City Hall Preservation Advisory Commission]

Supervisors Peskin, Hall, Dufty

Ordinance amending the San Francisco Administrative Code to add section 5.240 establishing the City Hall Preservation Advisory Commission.

11/25/03, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Supervisor Aaron Peskin; Former Mayor Willie Brown; Male Speaker; Bob Planthold; Ted Lakey, Deputy City Attorney.

Supervisors Hall and Dufty requested to be added as co-sponsors.

2/4/04 Amended on page 2 line 1, after "Mayor" add "and confirmed by a majority vote of the Board of Supervisors," on page 2 line 10, after "Mayor" add "and confirmed by the Board,"

AMENDED by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

RECOMMENDED AS AMENDED.

031934 [City-owned cars assigned to the District Attorney]

Supervisors Peskin, Dufty

Ordinance amending Administrative Code Section 4.11 to include employees of the District Attorney's Office in the category of employees who may drive city-owned vehicles to and from their residence and to limit the number of such vehicles assigned to the District Attorney to eight (8).

11/25/03, RECEIVED AND ASSIGNED to Rules Committee

Heard in committee. Speakers: Supervisor Aaron Peskin, Paul Cummings, District Attorney. Supervisor Dufty requested to be added as a co-sponsor.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Dufty

Absent: 1 - Gonzalez



**031876 [Regulation of Permit Consultants commonly known as Permit Expeditors]
Supervisors Daly, Gonzalez**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on permit expeditors.

11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.

1/16/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for comment.

1/22/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for Comment

1/22/04, REFERRED TO DEPARTMENT. Referred to Paul Maltzer for Environmental Review.

Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ken Bruce, Budget Analyst's office; Bob Planthold; Ted Lakey, Deputy City Attorney; Anita Mayo; Pat Buscovich; Jeremy Paul; Jane Bell; Tony Sanchez-Corea; Ken Cochrane; Gary Bell; Alfred Sanchez; Val Adams; John Peterson; Henry Karnilowicz; Phil Fernandez; Amy Lee, Assistant Director, Department of Building Inspection; Lawrence Cornfield, Chief Building Inspector.

2/4/04 Amendment of the whole bearing new title.

Continued to February 11, 2004 at 2:00 p.m.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on permit consultants.

Supervisor Hall excused.

CONTINUED by the following vote:

Ayes: 2 - Dufty, Gonzalez

Absent: 1 - Hall

040033 [Settlement of Claim - Catherine Lee]

Resolution approving the settlement of the unlitigated claim filed by Catherine Lee against San Francisco for \$33,000; claim was filed on September 8, 2003.; Claim No. 04-00706. (City Attorney)

1/20/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Ted Lakey, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Dufty

Absent: 1 - Gonzalez

ADJOURNMENT

The meeting adjourned at 12:35 p.m.

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

January 29, 2004

TO: ≡ Rules Committee

FROM: ≡ Budget Analyst

SUBJECT: February 4, 2004 Rules Committee Meeting

DOCUMENTS DEPT.

FEB - 3 2004

Item 3 - File 03-1876

SAN FRANCISCO
PUBLIC LIBRARY

Department: Ethics Commission

Item: Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on Permit Expeditors.

Description: Under the proposed ordinance, a Permit Expediter is defined as any person or entity that receives or is promised economic consideration equaling \$1,000 or more in a calendar year to assist a client in obtaining approval of a permit issued by the City and County of San Francisco through 1) providing information and advice regarding the permit application process, 2) preparing, submitting or changing a permit application, 3) paying permit application fees on behalf of the client, 4) communicating with City departments such as the Planning Department regarding the contents, procedure, or status of a permit application, 5) conveying the permit application through the requisite stages of the permit issuance process, 6) picking up a permit from a City department, 7) requesting that a permit be denied for purposes of filing an appeal, and 8) representing or

assisting a client in an appeal of a permit that has been denied by a City department.

Currently, the City does not have any requirements imposed on Permit Expeditors to publicly disclose their identity or extent of efforts to obtain permits issued by the City on behalf of clients. The proposed ordinance would amend the Campaign and Governmental Conduct Code by adding a new Article V, section 5.100 to 5.135 which would:

- Require each Permit Expediter to initially register and reregister annually with the Ethics Commission prior to a January 1st deadline, and pay fees to the Ethic Commission of 1) \$100 at the time of the initial registration and \$100 annually at the time of each reregistration, and 2) \$50 annually for each client represented.
- Require the Permit Expediter to verify the accuracy and completeness of information provided to the Ethics Commission, retain related books, papers and documents for five years, and file a statement of termination with the Ethics Commission when a registered individual providing permit expediting services no longer provides such services.
- Require the Ethics Commission to provide forms to Permit Expeditors for the reporting of all information, issue registration numbers, provide copies of the proposed ordinance and related materials to Permit Expeditors, gather registration and reregistration information and issue compiled reports to the Board of Supervisors and the Mayor annually, preserve records, provide advice, investigate complaints and enforce against violations, and adopt reasonable and necessary rules and regulations for the implementation of the proposed ordinance.
- Impose a fine of \$50 per day on any Permit Expediter for each day that the Permit Expediter fails to initially register and fails to reregister annually with the Ethics Commission after the filing deadline of the original registration statement or report required under the subject ordinance. The registration and reregistration statement or report would include such information as business name, name of employees

BOARD OF SUPERVISORS

BUDGET ANALYST

formerly employed by the City, type of permits sought, and economic consideration promised or received by client.

- Impose civil action liabilities upon any Permit Expeditor, up to \$1,000 per violation, for providing permit expediting services without registering or complying with the reporting requirements, as set forth in this proposed ordinance.
- Authorize the Ethics Commission to create, adopt regulations for, and require a Permit Expeditor to file, an electronic copy of the original statement or report. The subject ordinance also imposes a fine of \$50 per day for late electronic filing.

According to Mr. Edward Olsen of the City Attorney's Office, the purpose the subject ordinance is to impose reasonable restrictions and disclosure requirements on Permit Expeditors that will protect the public's confidence in the integrity of the permitting processes of City departments.

Fiscal Impact:

Attachment I, provided by Ms. Mabel Ng of the Ethics Commission, details the estimated administrative costs, not including electronic filing costs (see Comment No. 2), associated with implementing the proposed ordinance. Such costs are estimated at \$28,984 in the first year, including initial start-up costs, and \$21,859 annually based on FY 2003-2004 salary and benefit levels. Ms. Ng reports that such costs will be included in the Department's future annual budgets. Attachment II, provided by Ms. Ng, is a detailed description of the related tasks supporting the cost estimate.

Comments:

1. According to Ms. Ng, the Ethics Commission estimates that there are currently approximately 20 Permit Expeditors who would be affected by the proposed ordinance, and would be required to register/reregister, and report to the Ethics Commission prior to the January 1st deadline annually. Ms Ng estimates that each of the 20 Permit Expeditors has an average of 10 clients. Based on an estimated 20 Permit Expeditors, having an average of 10 clients each, the Ethics Commission estimates that approximately

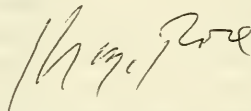
\$12,000 annually would be generated from the proposed fees paid, as shown in the table below.

		Annual Fees	Estimated Annual Revenue
Estimated Number of Permit Expeditors	20	\$100	\$2,000
Estimated Number of Clients (10 per Expediter)	200	50	10,000
Total			\$12,000

2. Ms. Ng states that the estimated first year costs of \$28,984 to implement the proposed ordinance does not include the costs to enable the electronic filing of statements and reports. According to Ms. Ng, enabling electronic filing would require the development of new software to capture specific information requested in the proposed ordinance. Ms. Ng reports that the cost to develop such software to enable electronic filing would range between \$50,000 to \$70,000 depending on the number of fields required in the database. According to Ms. Ng, the Ethics Commission currently has no plans to implement electronic filing.

Recommendation:

Approval of the proposed ordinance is a policy decision for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Hall
Supervisor Dufty
President Gonzalez
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey

Attachment 1
Estimated Costs of Implementing the Permit Expediter Program
Based on 20 Registered Persons

Task	Work Hours
Development of Reporting Forms, Instruction Manual and Regulations	160 (1 st year; thereafter, 10 hours)
Advice-Giving	50
Notification/Mailing	20
Intake/Receipt	10
Facial Audit	25
Report: Production/Distribution	50 (1 st year; thereafter 40 hours)
Bookkeeping	40
Press Releases	10
Investigations	150
Totals	515 hours @ \$37.11 (hourly salary) = \$19,112 plus 20% fringes = \$22,934 1 st year 355 hours @ \$37.11 (hourly salary) = \$13,174 plus 20% fringes = \$15,809 subsequent years
Other Costs	\$6,050 (equipment, supplies, reproduction, mailing)
Grand Total	\$28,984 1 st year; \$21,859 subsequent years

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ETHICS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

ROBERT R. PLANTHOLD
CHAIRPERSON

MICHAEL L.

VICE-CHAIRPERSON

MICHELE ANGLADE
COMMISSIONER

JOE LYNN
COMMISSIONER

WUKEEN Q. MCCOY
COMMISSIONER

VIRGINIA E. VIDA
EXECUTIVE DIRECTOR

Date: January 27, 2004
To: Leanne Nhan
Office of the Budget Analyst
From: Mabel Ng, Deputy Executive Director
Re: Budget Analyst Questions for Item #03-1876

Estimated Costs of Implementing the Permit Expediter Program Based on 20 Registered Persons

1. Development of Registration Forms and Materials: The legislation requires that the Ethics Commission develop forms for the reporting of all information required under the proposed ordinance. The Commission may also adopt regulations to clarify the new law. Staff estimates that it will take approximately 160 hours to develop the forms, instruction manual and other materials, including regulations, related to the permit expeditor program. This work will be performed by the Deputy Executive Director, who is a class 1824. However, once the forms and materials are developed, staff anticipates that the annual costs to update the forms and materials will be considerably less, approximately 10 hours per year. These tasks could be performed by the Senior Administrative Analyst.
2. Advice-Giving: This task requires giving oral and/or written advice. Routine questions can be handled with straightforward answers over the phone. All other questions must be submitted in writing. Responding to requests for written advice involves conducting legal research, conferring with counsel, drafting a response and referring it to the City Attorney and District Attorney for their concurrence or non-concurrence. This is very time consuming, and there are frequent requests for written advice when a new law is implemented. Written advice is provided by the Deputy Executive Director; the Senior Administrative Analyst may provide oral advice.
3. Notification/Mailing: This task requires drafting and sending letters to permit expeditors to inform them about registration requirements and filing deadlines. In addition, staff must notify and issue follow-up notices to those permit expeditors who have failed to register or pay their annual re-registration fees and client fees.

4. Intake/Receipt: This task requires date-stamping the reports, creating folders for each permit expeditor, and copying and filing the reports in the both the public and back-office folders.
5. Facial Audit: This task requires reviewing the forms to check that all appropriate documents have been filed, noting whether any fees are required and have been submitted, and whether the appropriate signature is included. This task also requires carefully reviewing each permit expeditor's report to determine if it meets the standard for sufficient specificity, notifying permit expeditors of deficient filings, and following up to ensure that deficient filings are amended to comply with filing requirements.
6. Report: Production/Distribution: This task requires creating a report format, and compiling large portions of each permit expeditor's filing into a report format, which includes tables and charts for that year's filings. Filings for each year are reviewed, and figures are checked against previous filings. This task also involves duplicating and distributing the report to the appointing authorities, the Board of Supervisors, the Mayor, and interested parties, and posting the report to the Ethics Commission's web site.
7. Addition/Termination of Clients: This task requires copying and filing client registration and authorization forms, and conducting a facial audit and data entry check for tracking, payments and accounting. It also includes creating a chart for posting the information on our web site, and posting the information.
8. Bookkeeping: This task requires copying and depositing checks for permit expeditors and client registration and re-registration fees and late fines. It also requires that tracking of revenues and generation of revenue estimates for the City's annual budget process.
9. Press Releases: This task involves drafting and faxing a press release to the media, City officials, and interested parties each time an annual summary report is issued.
10. Investigations: This task requires Commission staff to conduct inquiries and investigations into possible violations of the law, pursuant to Charter section C3.699-13 and the regulations adopted thereunder. The Commission's investigator is class 1823.
11. Other Costs: These costs include overhead, such as maintenance and rental of our photocopiers (estimated at approximately 5 percent of yearly cost of \$12,000, or \$600 per year); DTIS work order for LAN support (5 percent of \$35,000 per year, or approximately \$1,750 per year); rental of office space (5 percent of \$70,000 per year, or approximately \$3,500 per year); and paper and supplies (approximately \$200 per year).

Please note that the estimates are based on the \$37.11 hourly salary of a Class 1823 Senior Administrative Analyst, Step 5, position, which is the salary for the Commission's investigator. A class 1823 will be able to perform most of the administrative tasks as well as work on program-related investigations. However, written advice is handled by the Deputy Executive Director, a class 1824 position with a salary that is higher than the 1823 position.

**Anticipated Revenues Based on Fees Provided in Proposed Legislation
Based on 20 Registered Expeditors and 10 Clients per Expediter**

Expediter/Client	Number	Fee	Revenue Generated
Permit Expeditors	20	\$100	\$2,000
Clients	10 per expeditor	\$50	\$10,000
Total			\$12,000

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City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Tony Hall, Bevan Duffy and Matt Gonzalez

Clerk: Deborah Muccino

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

Wednesday, February 11, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

DOCUMENTS DEPT.

AGENDA CHANGES

FEB - 6 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

1. 040120 [Appointment]
Hearing to consider appointing one member to the Biosciences Task Force.

1 seat being considered

Vacant seat, new position, seat 17, must be from an organized labor entity that represents emergency service and public safety personnel, for the unexpired portion of an eight month term ending April 22, 2004.

1/26/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/ 1 applicant

Gregory Stewart (residency waiver required) seat 17



2. **040126** **[Appointment]**
Hearing to consider appointing one member to the Biosciences Task Force.

1 seat being considered

Vacant seat, new position, seat 6, must be from an organized labor entity that represents employees of bioscience companies or research institutions, for the unexpired portion of a term ending April 22, 2004.

1/28/04, CONTINUED. Continued to February 11, 2004. Divided from file 040084

1/28/04, RECEIVED AND ASSIGNED to Rules Committee

1 seat/ 2 applicants

Ed Stuever and Scott Ogun, seat 6

3. **040085** **[Appointment]**
Hearing to consider appointing two members to the Childhood Nutrition and Physical Activity Task Force.

2 seats being considered

Vacant seat, new position, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one year term ending December 12, 2004.

Vacant seat, new position, seat 14, must belong to a foundation or philanthropic organization with an interest in physical activity and healthy eating, for the unexpired portion of a one year term ending December 12, 2004.

1/16/04, RECEIVED AND ASSIGNED to Rules Committee.

1/28/04, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: None.

2/3/04, CLERICAL CORRECTION. Added seat 14.

2 seats/ 2 applicants

Amina Adofoadom, seat 3

Scott Hoshida (residency waiver required), seat 14

4. 040176 [Appointment]

Hearing to consider appointing four members to the Treasure Island Authority Citizens Advisory Board.

4 seats being considered

Vacant seat, succeeding Catherine Yee, resigned, seat 2, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four year term ending January 1, 2005.

Vacant seat, succeeding Alexander Clemens, resigned, seat 7, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four year term ending January 1, 2005.

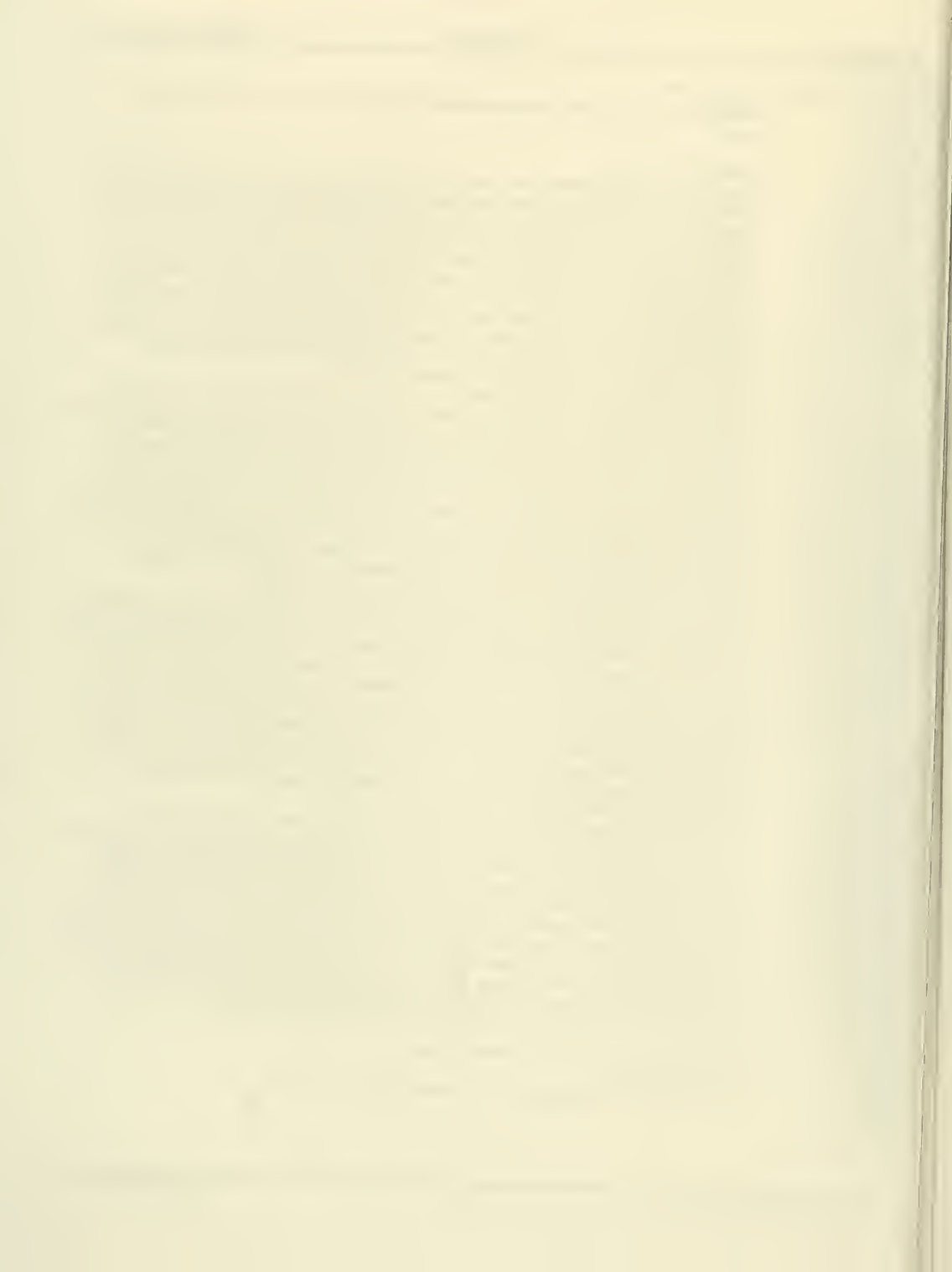
Vacant seat, succeeding Andrea Runge, resigned, seat 9, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four year term ending January 1, 2005.

Vacant seat, succeeding Arnold Levine, resigned, seat 11, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four year term ending January 1, 2005.

2/2/04, RECEIVED AND ASSIGNED to Rules Committee.

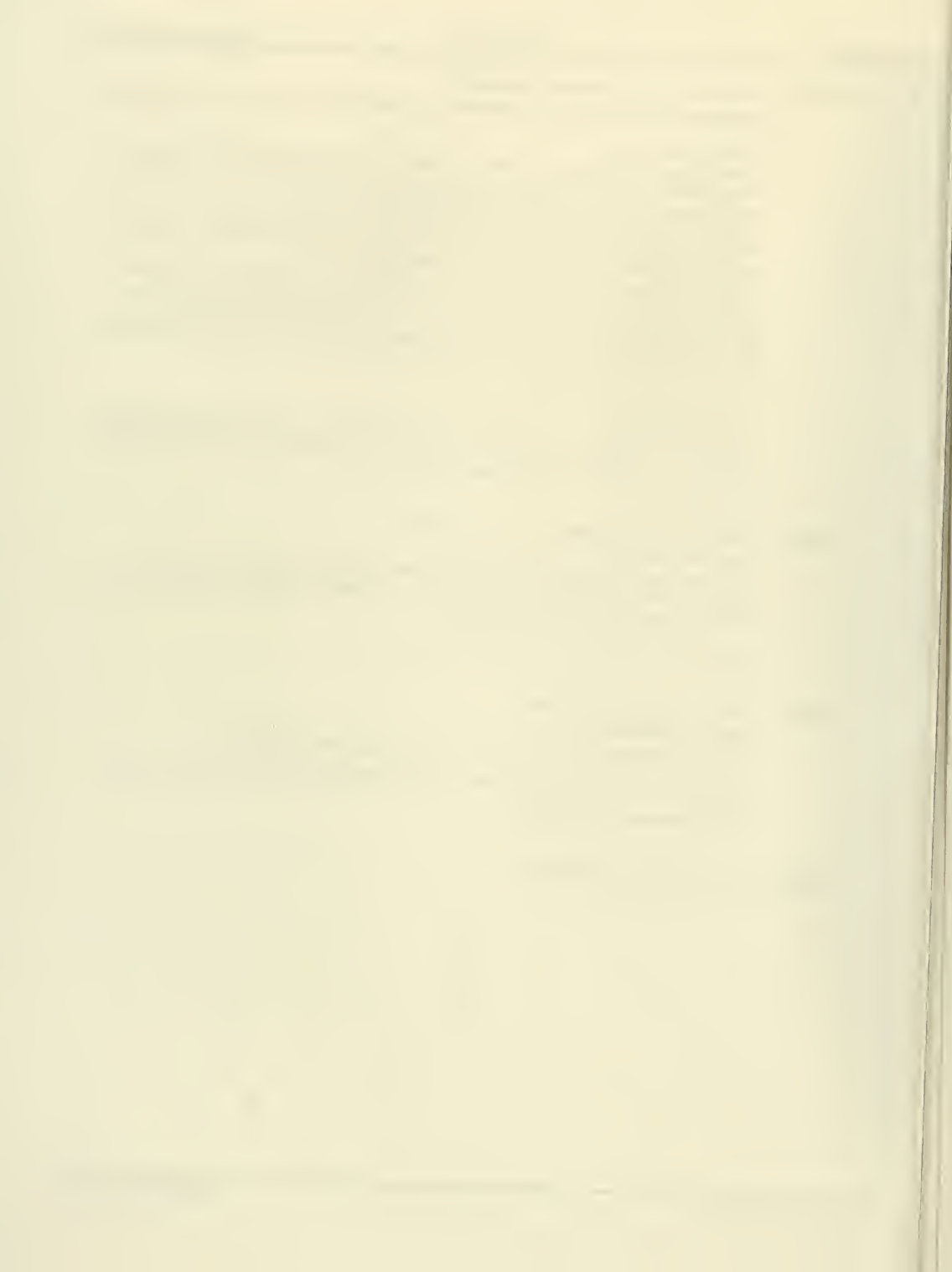
4 seats/ 3 applicants

Stephen Matton, Charles Higgins and Suzanne Kim seats 2, 7, 9, or 11.



5. **031920 [Appointment - Small Business Commission]**
Hearing to consider appointing three members to the Small Business Commission. (Rules Committee)
- 3 seats being considered:
Vacant seat, new appointment, seat 1, must be appointed by the Board of Supervisors. Must be an owner, operator, or officer of a San Francisco small business, for either an initial two or four year term (to be determined by lot), ending date to be determined.
Vacant seat, new appointment, seat 2, must be appointed by the Board of Supervisors. Must be an owner, operator, or officer of a San Francisco small business, for either an initial two or four year term (to be determined by lot), ending date to be determined.
Vacant seat, new appointment, seat 3, must be appointed by the Board of Supervisors. May be a member of the public, and may be either a current or former owner, operator or officer of a San Francisco small business. May be an officer or representative of a neighborhood economic development organization or an expert in small business finance for either an initial two or four year term (to be determined by lot), ending date to be determined.
- 11/20/03, RECEIVED AND ASSIGNED to Rules Committee.
3 seats/14 applicants
Richard Ventura, Steven Sarver, Philip DeAndrade, Michael O'Connor, Everett Collier, Elizabeth Saviano, Jordana Thigpen, Mark Klaiman, Stephen Cornell, David Sahagun, Gwendolyn Kaplan, Florence Alberts, Richard Lee Parker, seats 1, 2, or 3.
Luis Granados, seat 3.
6. **040104 [Potrero Power Plant Citizens Advisory Task Force]**
Supervisor Maxwell
Resolution modifying the Potrero Power Plant Citizens Advisory Task Force by specifying the appointment process for Task Force membership and extending the expiration date of the Task Force from November 1, 2003 to November 1, 2005.
- 1/27/04, RECEIVED AND ASSIGNED to Rules Committee
7. **032004 [Support HR 3171 and SB 1552]**
Supervisor McGoldrick
Resolution supporting HR 3171 and SB 1552, amending the USA PATRIOT Act.
- 12/9/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
12/16/03, REFERRED to Rules Committee.

SPECIAL ORDER 2:00 P.M.



8. 031876 [Regulation of Permit Consultants commonly known as Permit Expeditors]
Supervisors Daly, Gonzalez
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on permit consultants.
- Supervisor Hall excused.
- 11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.
1/16/04, REFERRED TO DEPARTMENT Referred to Ethics Commission for comment.
1/22/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for Comment
1/22/04, REFERRED TO DEPARTMENT Referred to Paul Maltzer for Environmental Review.
2/4/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ken Bruce, Budget Analyst's office; Bob Planthold; Ted Lakey, Deputy City Attorney; Anita Mayo, Pat Buscovich; Jeremy Paul, Jane Bell, Tony Sanchez-Corea; Ken Cochran; Gary Bell; Alfred Sanchez, Val Adams, John Peterson; Henry Karnilowicz; Phil Fernandez; Amy Lee, Assistant Director, Department of Building Inspection, Lawrence Cornfield, Chief Building Inspector.
2/4/04 Amendment of the whole bearing new title.
Continued to February 11, 2004 at 2:00 p.m.
2/4/04, CONTINUED.

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

9. 040080 [Settlement of Lawsuit - Sofia Rillanos]
Ordinance authorizing settlement of the lawsuit filed by Sofia Rillanos against the City and County of San Francisco for \$80,000; the lawsuit was filed on March 23, 2003 in San Francisco Superior Court, Case No. 418-598; entitled Sofia Rillanos, v. City and County of San Francisco, et al; other material terms of said settlement are that plaintiff is to seek a non-disability-related retirement with the San Francisco Employees' Retirement System within three days of the date the settlement amount is paid. (City Attorney)
- 1/26/04, RECEIVED AND ASSIGNED to Rules Committee.
10. 040081 [Settlement of Lawsuit - Katherine Cox]
Ordinance authorizing settlement of the lawsuit filed by Katherine Cox against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on September 3, 2002 in San Francisco Superior Court, Case No. 412117; entitled Katherine Cox, et al., v. City and County of San Francisco, et al. (City Attorney)
- 1/26/04, RECEIVED AND ASSIGNED to Rules Committee.

11. **040131** **[Settlement of Lawsuit - Michelle Asami]**
Ordinance authorizing settlement of the lawsuit filed by Michelle Asami against the City and County of San Francisco for \$43,900; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 415-098; entitled Michelle Asami, et al., v. City and County of San Francisco, et al. (City Attorney)
2/2/04, RECEIVED AND ASSIGNED to Rules Committee.
12. **040132** **[Settlement of Claim - Larry Oldham]**
Resolution approving the settlement of the unlitigated claim filed by Larry Oldham against San Francisco for \$75,000, claim was filed on May 22, 2003. (City Attorney)
2/2/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

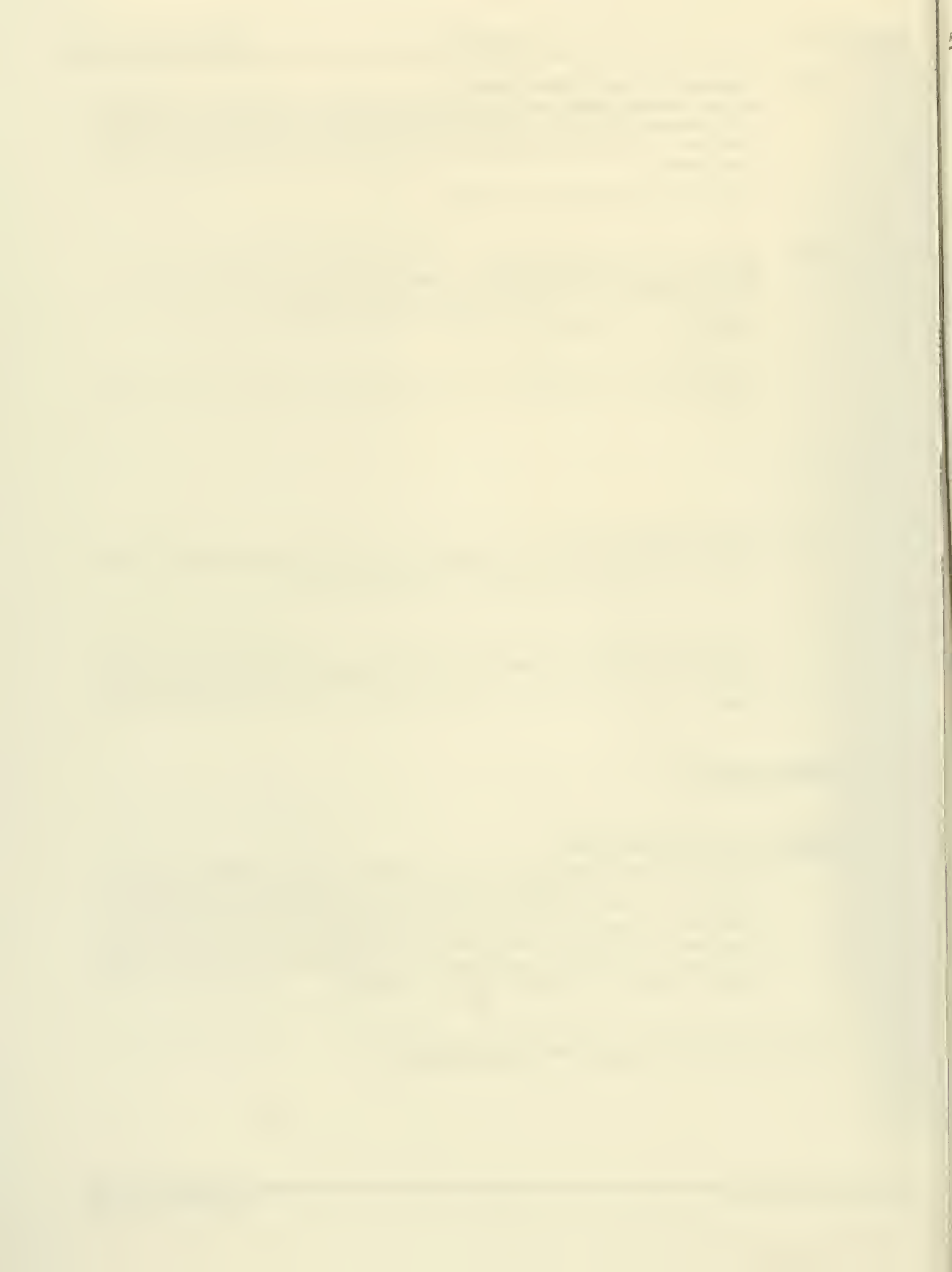
Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE



(Not to be considered at this meeting)

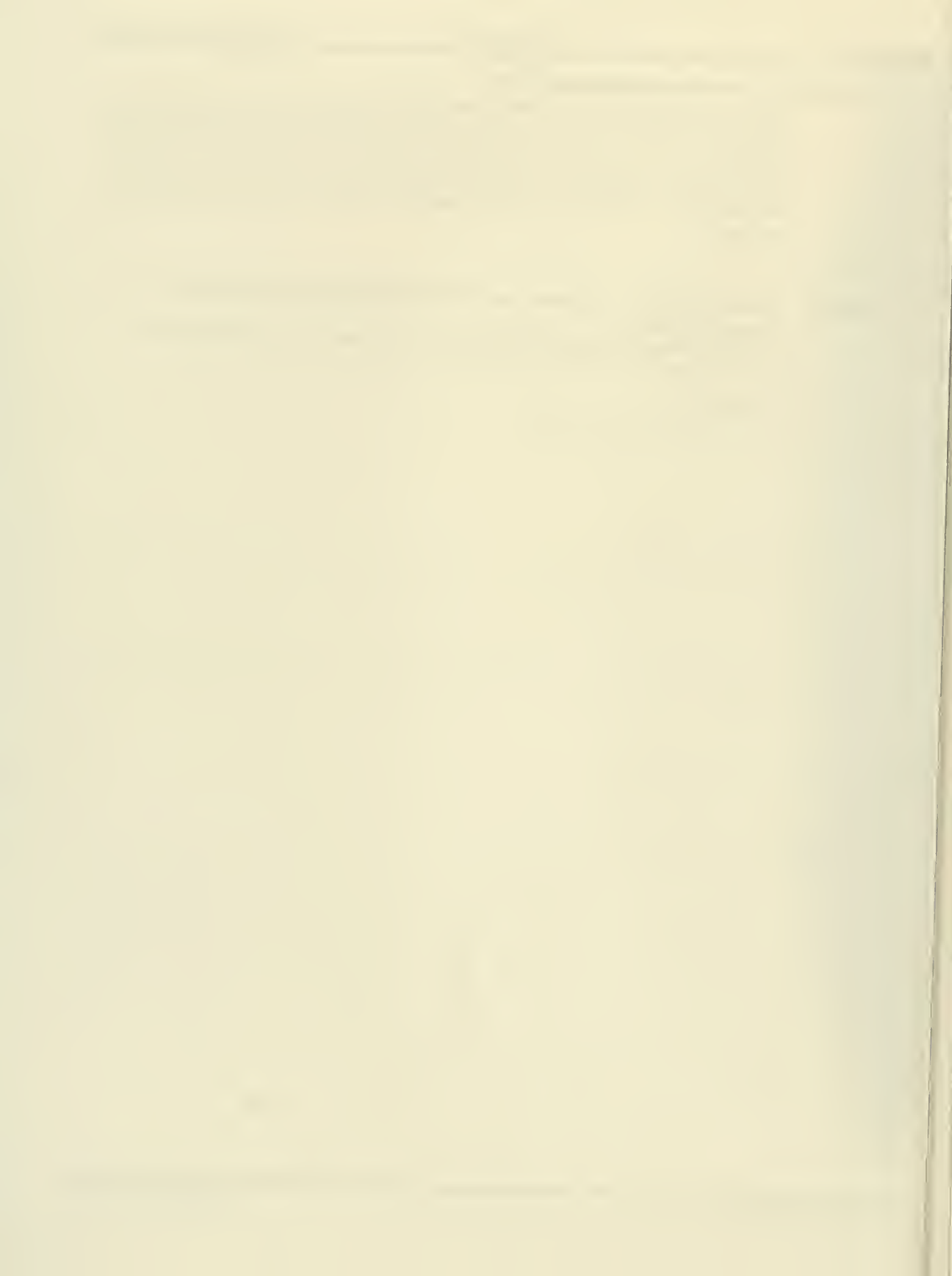
Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

**040009 [Charter Amendment - Retirement benefits for miscellaneous officers and employees]
Supervisor Sandoval**

Charter Amendment (First Draft) to amend Sections A8.509 and A8.587 relating to retirement benefits for miscellaneous officers and employees.

(Fiscal impact.)

1/6/04, ASSIGNED UNDER 30 DAY RULE.



Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

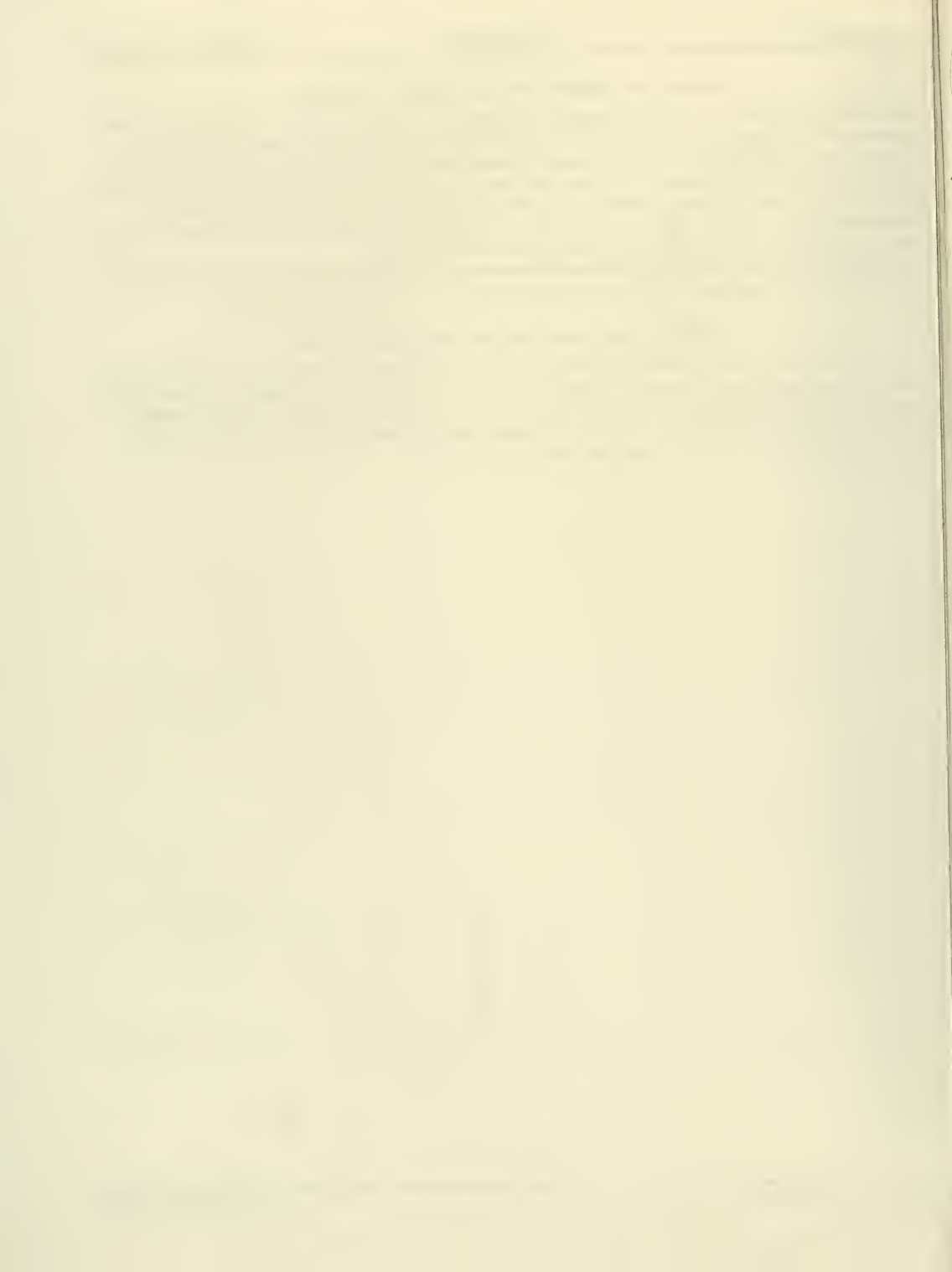
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics





City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Tony Hall, Bevan Dufty and Matt Gonzalez

Clerk: Deborah Muccino

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, February 11, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Members Present: Tony Hall, Bevan Dufty, Matt Gonzalez.

DOCUMENTS DEPT.

FEB 20 2004

SAN FRANCISCO
PUBLIC LIBRARY

MEETING CONVENED

The meeting convened at 9:36 a.m.

040120 [Appointment - Biosciences Task Force]

Hearing to consider appointing one member to the Biosciences Task Force.

1 seat being considered

Vacant seat, new position, seat 17, must be from an organized labor entity that represents emergency service and public safety personnel, for the unexpired portion of an eight month term ending April 22, 2004.

1/26/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Gregory Stewart. Appointment of Gregory Stewart, seat 17, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Gregory Stewart, term ending April 22, 2004 to the Biosciences Task Force. Residency requirement waived.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

040126 [Appointment - Biosciences Task Force]

Hearing to consider appointing one member to the Biosciences Task Force.

1 seat being considered

Vacant seat, new position, seat 6, must be from an organized labor entity that represents employees of bioscience companies or research institutions, for the unexpired portion of a term ending April 22, 2004.

1/28/04, CONTINUED. Continued to February 11, 2004. Divided from file 040084.

1/28/04, RECEIVED AND ASSIGNED to Rules Committee.

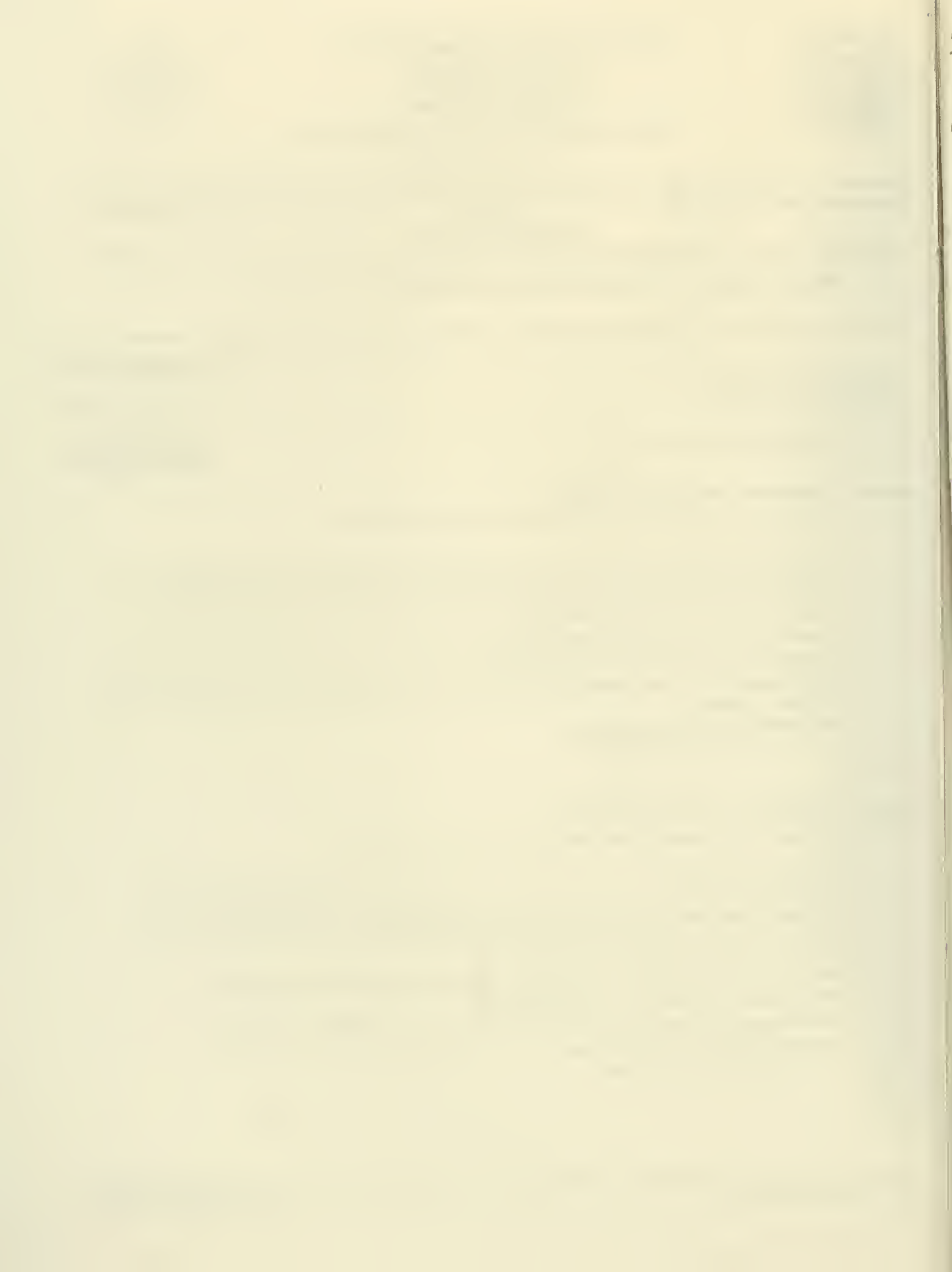
Heard in committee. Speakers: Scott Ogus. Appointment of Scott Ogus, seat 6, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Scott Ogus, term ending April 22, 2004 to the Biosciences Task Force.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez



040085 [Appointment - Childhood Nutrition & Physical Activity Task Force]

Hearing to consider appointing two members to the Childhood Nutrition and Physical Activity Task Force.

2 seats being considered

Vacant seat, new position, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one year term ending December 12, 2004.

Vacant seat, new position, seat 14, must belong to a foundation or philanthropic organization with an interest in physical activity and healthy eating, for the unexpired portion of a one year term ending December 12, 2004.

1/16/04, RECEIVED AND ASSIGNED to Rules Committee.

1/28/04, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: None.

2/3/04, CLERICAL CORRECTION Added seat 14.

Heard in committee. Speakers: Colleen Montoya, Youth Commission.

CONTINUED TO CALL OF THE CHAIR.

040176 [Appointment - Treasure Island Authority Citizens Advisory Board]

Hearing to consider appointing four members to the Treasure Island Authority Citizens Advisory Board.

4 seats being considered

Vacant seat, succeeding Catherine Yee, resigned, seat 2, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four year term ending January 1, 2005.

Vacant seat, succeeding Alexander Clemens, resigned, seat 7, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four year term ending January 1, 2005.

Vacant seat, succeeding Andrea Runge, resigned, seat 9, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four year term ending January 1, 2005.

Vacant seat, succeeding Arnold Levine, resigned, seat 11, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four year term ending January 1, 2005.

2/2/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Stephen Matton, Charles Higgins, Suzanne Kim and Ruth Gravanis.

Appointment of Stephen Matton, seat 2, Charles Higgins, seat 7, and Suzanne Kim, seat 9, recommended. Seat 11, unfilled.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Stephen Matton, Charles Higgins and Suzanne Kim, terms ending January 1, 2005 to the Treasure Island Authority Citizens Advisory Board.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

031920 [Appointment - Small Business Commission]

Hearing to consider appointing three members to the Small Business Commission.

3 seats being considered:

Vacant seat, new appointment, seat 1, must be appointed by the Board of Supervisors. Must be an owner, operator, or officer of a San Francisco small business, for either an initial two or four year term (to be determined by lot), ending date to be determined.

Vacant seat, new appointment, seat 2, must be appointed by the Board of Supervisors. Must be an owner, operator, or officer of a San Francisco small business, for either an initial two or four year term (to be determined by lot), ending date to be determined.

Vacant seat, new appointment, seat 3, must be appointed by the Board of Supervisors. May be a member of the public, and may be either a current or former owner, operator or officer of a San Francisco small business. May be an officer or representative of a neighborhood economic development organization or an expert in small business finance for either an initial two or four year term (to be determined by lot), ending date to be determined.

11/20/03, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Bill Barnes aide to Supervisor Daly; Richard Ventura; Steven Sarver; Florence Alberts; Philip DeAndrade; Michael O'Connor; Everett Collier; Elizabeth Saviano; Jordanna Thigpen; Mark Klaiman; Stephen Cornell; David Sahagun; Gwendolyn Kaplan; Richard Parker; Luis Granados; Patricia Vaughey; Male Speaker; Tony Kelly; Mr. Salma; Cheryl Adams, Deputy City Attorney. Appointment of Michael O'Connor, seat 1; David Sahagan, seat 2; Jordanna Thigpen, seat 3, recommended.

PREPARED IN COMMITTEE AS A MOTION.

Motion appointing Michael O'Connor, David Sahagun and Jordanna Thigpen, term ending dates to be determined, to the Small Business Commission.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

040104 [Power Plant Task Force]

Supervisor Maxwell

Resolution modifying the Potrero Power Plant Citizens Advisory Task Force by specifying the appointment process for Task Force membership and extending the expiration date of the Task Force from November 1, 2003 to November 1, 2005.

1/27/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Supervisor Sophie Maxwell; Joe Boss; Philip DeAndrade. 2/11/04 Amend the title on page 1, line 3, delete "Potreo" and "Citizens Advisory". On page 2 line 17, change "nine" to "ten" and add "voting" after "(10)". And on page 2 line 25, add "One (1) resident of the South of Market area; and,"

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Resolution modifying the Power Plant Task Force by specifying the appointment process for Task Force membership and extending the expiration date of the Task Force from November 1, 2003 to November 1, 2005.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

032004 [Support HR 3171 and SB 1552]**Supervisors McGoldrick, Gonzalez**

Resolution supporting HR 3171 and SB 1552, amending the USA PATRIOT Act.

12/9/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

12/16/03, REFERRED to Rules Committee

*Heard in committee. Speakers: Supervisor Jake McGoldrick.**Supervisor Gonzalez requested to be added as a co-sponsor.***RECOMMENDED by the following vote:**

Ayes: 2 - Dufty, Gonzalez

Absent: 1 - Hall

030423 [Establishing the powers and duties of the Small Business Commission]**Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by adding Section 2A.240, to list the powers and duties of the Small Business Commission, and by repealing Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission, and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the ordinance shall only take effect if a charter amendment creating a Small Business Commission in the Charter is adopted at the November 2003 election.

(No fiscal impact; Companion measure to File 030426.)

3/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/17/2003.

3/25/03, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance, correcting an error in the short title

3/25/03, ASSIGNED to Rules Committee.

3/28/03, REFERRED TO DEPARTMENT. Referred to Small Business Commission.

5/7/03, CONTINUED. Heard in committee. Speakers: Bill Barnes, Aide to Supervisor Daly; Ken Bruce, Budget Analyst's Office; Seth Steward, Small Business Commission; Gwen Kaplan, Small Business Commissioner; Dave Sayhagan, Small Business Commissioner. Male Speaker: Rolf Mueller, Clifford Waldeck; Steven Cornell, Small Business Commissioner; Sue Danielson; Rebecca Silverberg. Male Speaker: Scott Hauke; Saif Salman; Ali Altaia; Bruce Wagner; Pat Christensen; Michal O'Connell; Supervisor Daly. Ted Lakey, Deputy City Attorney

Continued to May 14, 2003.

5/14/03, CONTINUED TO CALL OF THE CHAIR. Speakers: None

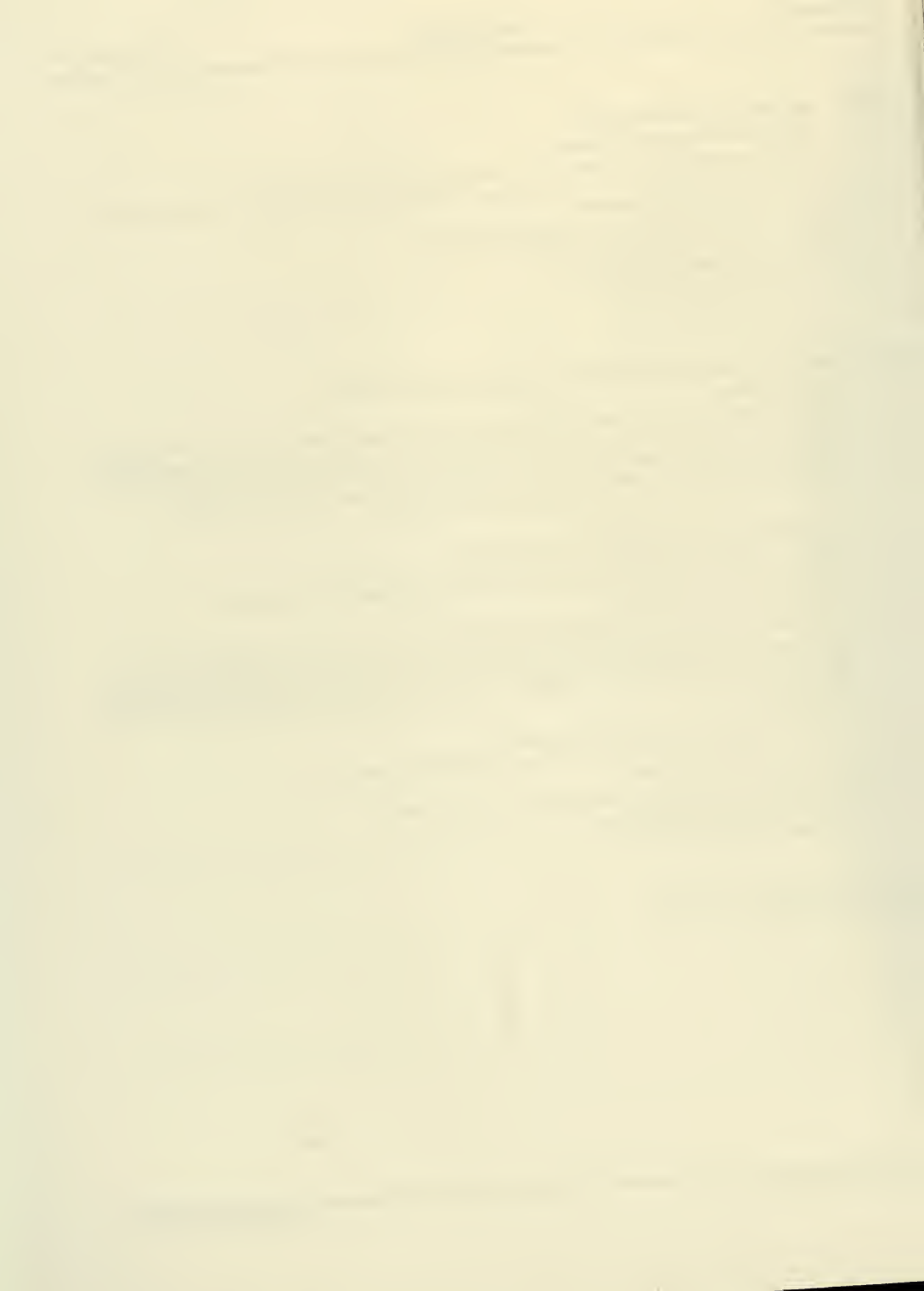
12/16/03, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title

12/16/03, ASSIGNED to Rules Committee.

*Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly.***RECOMMENDED by the following vote:**

Ayes: 3 - Hall, Dufty, Gonzalez

SPECIAL ORDER 2:00 P.M.



**031876 [Regulation of Permit Consultants commonly known as Permit Expeditors]
Supervisors Daly, Gonzalez**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on permit consultants.

Supervisor Hall excused.

11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.

1/16/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for comment.

1/22/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for Comment

1/22/04, REFERRED TO DEPARTMENT. Referred to Paul Maltzer for Environmental Review.

2/4/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ken Bruce, Budget Analyst's office, Bob Planthold, Ted Lakey, Deputy City Attorney; Anita Mayo; Pat Buscovich, Jeremy Paul; Jane Bell; Tony Sanchez-Corea; Ken Cochran; Gary Bell; Alfred Sanchez, Val Adams; John Peterson; Henry Karnilowicz; Phil Fernandez; Amy Lee, Assistant Director, Department of Building Inspection; Lawrence Cornfield, Chief Building Inspector

2/4/04 Amendment of the whole bearing new title.

Continued to February 11, 2004 at 2:00 p.m.

2/4/04, CONTINUED.

2/5/04, REFERRED TO DEPARTMENT. Referred to Planning Department, Ethics Commission and Small Business Commission for comment.

2/6/04, RESPONSE RECEIVED. Paul Maltzer, the Environmental Review Officer, stated it does not require any environmental review under CEQA, as the registration and disclosure requirements proposed do not have any potential for physical effect on the environment. As such, the proposal is not a project under CEQA and therefore no environmental review is required.

Heard in committee. Speakers: Ed Harrington, Controller; Louis Louvan, DTIS; Frank Chiu, Director, Department of Building Inspection; Ted Lakey, Deputy City Attorney; Ginny Vida, Ethics Commission; Bob Planthold, Ethics Commission; Pat Buscovich; Dipak Patel; Patricia Vaughey; Anita Mayo; Jeremy Paul; Tony Sanchez-Corea; Henry Karnilowicz; Amy Lee, Assistant Director, Deputy Building Inspection.

Supervisor Hall excused. Continued to March 3, 2004 at 9:30 a.m.

CONTINUED by the following vote:

Ayes: 2 - Dufty, Gonzalez

Excused: 1 - Hall

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 2 - Dufty, Gonzalez

Absent: 1 - Hall

040080 [Settlement of Lawsuit - Sofia Rillanos]

Ordinance authorizing settlement of the lawsuit filed by Sofia Rillanos against the City and County of San Francisco for \$80,000; the lawsuit was filed on March 23, 2003 in San Francisco Superior Court, Case No. 418-598; entitled Sofia Rillanos v. City and County of San Francisco, et al; other material terms of said settlement are that plaintiff is to seek a non-disability-related retirement with the San Francisco Employees' Retirement System within three days of the date the settlement amount is paid. (City Attorney)

1/26/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Cheryl Adams, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 2 - Dufty, Gonzalez

Absent: 1 - Hall

040081 [Settlement of Lawsuit - Katherine Cox]

Ordinance authorizing settlement of the lawsuit filed by Katherine Cox against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on September 3, 2002 in San Francisco Superior Court, Case No. 412117; entitled Katherine Cox, et al., v. City and County of San Francisco, et al. (City Attorney)

1/26/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Cheryl Adams, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 2 - Dufty, Gonzalez

Absent: 1 - Hall

040131 [Settlement of Lawsuit - Michelle Asami]

Ordinance authorizing settlement of the lawsuit filed by Michelle Asami against the City and County of San Francisco for \$43,900; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 415-098; entitled Michelle Asami, et al., v. City and County of San Francisco, et al. (City Attorney)

2/2/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Cheryl Adams, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 2 - Dufty, Gonzalez

Absent: 1 - Hall

040132 [Settlement of Claim - Larry Oldham]

Resolution approving the settlement of the unlitigated claim filed by Larry Oldham against San Francisco for \$75,000, claim was filed on May 22, 2003. (City Attorney)

2/2/04, RECEIVED AND ASSIGNED to Rules Committee

Heard in committee. Speakers: Cheryl Adams, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 2 - Dufty, Gonzalez

Absent: 1 - Hall

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 2 - Dufty, Gonzalez

Absent: 1 - Hall

ADJOURNMENT

The meeting adjourned at 4:06 p.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Tony Hall, Bevan Duffy and Matt Gonzalez

Clerk: Deborah Muccino

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

Wednesday, February 25, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

DOCUMENTS DEPT.

AGENDA CHANGES

FEB 20 2004

REGULAR AGENDA

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1. 040086 [Appointment - Mental Health Board]
Hearing to consider appointing three members to the Mental Health Board.

3 seats being considered

Vacant seat, succeeding Robert Douglas, term expired, seat 13, must be a family member, for a three year term ending January 31, 2007.

Vacant seat, succeeding Carol Knight, term expired, seat 14, must be a family member, for a three year term ending January 31, 2007.

Vacant seat, succeeding Rebecca Turner, term expired, seat 15, must be a health professional, for a three year term ending January 31, 2007.

1/20/04, RECEIVED AND ASSIGNED to Rules Committee.

3 seats/3 applicants

Robert Douglas, seat 13

Carol Knight, seat 14

Rebecca Ann Turner, seat 15

2. 032057 [Appointment - Elections Commission]
Hearing to consider appointing one member to the Elections Commission.

1 Seat Being Considered

Vacant seat, succeeding Thomas Schulz, term expired, seat 1, must be representative of the general public for a five year term ending January 1, 2009.

12/23/03, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/ 5 applicants

Brenda Stowers, Richard Matthews, Maria Crispi, Gerard Gleason, Barbara Boice, seat 1.

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

3. 040160 [Settlement of Lawsuit - Maria Trapalis-Baird]
Ordinance authorizing the settlement of lawsuit filed by Maria Trapalis-Baird against the City and County of San Francisco for \$285,000; the lawsuit was filed on April 22, 2002, in San Francisco Superior Court, Case No. 419634, entitled Trapalis-Baird v. City and County of San Francisco, et al. (City Attorney)

2/9/04, RECEIVED AND ASSIGNED to Rules Committee.

4. 040161 [Settlement of Lawsuit - Clara Tempongko, et al.]
Ordinance authorizing settlement of the lawsuit filed by Clara Tempongko, Janine Bersabe, by and through her Guardian ad Litem Clara Temponkgo, and Justin Nguyen, by and through his Guardian, Shawn Nguyen against the City and County of San Francisco for \$500,000; the lawsuit was filed on October 18, 2001 in the United States District Court, Case No. C01-3927 SBA; entitled Clara Tempongko, et al., v. City and County of San Francisco, et al. (City Attorney)

2/9/04, RECEIVED AND ASSIGNED to Rules Committee.

5. 040163 [Settlement of Lawsuits and Assessment Appeals]

Ordinance authorizing settlement of lawsuits and assessment appeals filed by Mission Housing Development Co., Thomas Paine, Ltd., Vista del Monte, Ltd., Buchanan Park, Ltd., Prince Hall Ltd., Laurel Gardens, St. Francis Square Apartments, Friendship Village Inc., Casa de La Raza, Third Baptist Gardens/F. D. Haynes Apartments, and Glenridge Apartments versus the City and County of San Francisco by payment of a total amount not to exceed \$1,800,000.00; the cases and appeals are Mission Housing I (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A075003), Mission Housing II (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A085462), Mission Housing III (San Francisco Co. Super Ct No. 300781), Mission Housing IV (those assessment appeals for which a decision was rendered by the Assessment Appeals Board on September 9, 2003), and Mission Housing V (San Francisco Co. Superior Ct. No. 502335, Court of Appeal No. A104180); the settlement includes any claims for reduced assessment for the 2002-2003 tax year and Plaintiffs/Claimants shall not file any claims for refund based on Sections 1604 or 2635 of the Revenue and Taxation Code. (A copy of proposed Settlement Agreement placed in Board File No. 040163.) (City Attorney)

2/9/04, RECEIVED AND ASSIGNED to Rules Committee

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

**040146 [Determination of Fiscal Feasibility of Proposed Project]
Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 28 to require Board of Supervisors review of a proposed project meeting certain criteria and a determination that the proposed project is fiscally responsible and feasible before undertaking environmental review of the proposed project.

2/3/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/4/2004.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

· Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

· The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Tony Hall, Bevan Dufty and Matt Gonzalez

Clerk: Deborah Muccino

City Hall
1 Dr. Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, February 25, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Members Present: Tony Hall, Bevan Dufty, Matt Gonzalez.

MEETING CONVENED

DOCUMENTS DEPT.

The meeting convened at 9:41 a.m.

MAR - 1 2004

040086 [Appointment - Mental Health Board]
Hearing to consider appointing three members to the Mental Health Board.

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3 seats being considered

Vacant seat, succeeding Robert Douglas, term expired, seat 13, must be a family member, for a three year term ending January 31, 2007.

Vacant seat, succeeding Carol Knight, term expired, seat 14, must be a family member, for a three year term ending January 31, 2007.

Vacant seat, succeeding Rebecca Turner, term expired, seat 15, must be a health professional, for a three year term ending January 31, 2007.

1/20/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Helynna Brooke; Carol Knight, Rebecca Turner, Robert Douglas.

Appointment of Robert Douglas, seat 13, Carol Knight, seat 14, and Rebecca Ann Turner, seat 15, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Robert Douglas, Carol Knight and Rebecca Ann Turner, term ending January 31, 2007 to the Mental Health Board.

Robert Douglas, succeeding himself, term expired, seat 13, must be a family member, for a three year term ending January 31, 2007.

Carol Knight, succeeding herself, term expired, seat 14, must be a family member, for a three year term ending January 31, 2007.

Rebecca Turner, succeeding herself, term expired, seat 15, must be a health professional, for a three year term ending January 31, 2007.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

032057 [Appointment - Elections Commission]

Hearing to consider appointing one member to the Elections Commission.

1 Seat Being Considered

Vacant seat, succeeding Thomas Schulz, term expired, seat 1, must be representative of the general public for a five year term ending January 1, 2009.

12/23/03, RECEIVED AND ASSIGNED to Rules Committee

Heard in committee. Speakers: Tom Schulz; Richard Matthews; Brenda Stowers; Gerard Gleason; Barbara Boice; Steven Hill, Male Speaker. Appointment of Gerard Gleason, seat 1, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Gerard Gleason, term ending January 1, 2009, to the Elections Commission.

Gerard Gleason, succeeding Thomas Schulz, term expired, seat 1, must be representative of the general public for a five year term ending January 1, 2009.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

040160 [Settlement of Lawsuit - Maria Trapalis-Baird]

Ordinance authorizing the settlement of lawsuit filed by Maria Trapalis-Baird against the City and County of San Francisco for \$285,000; the lawsuit was filed on April 22, 2002, in San Francisco Superior Court, Case No. 419634, entitled Trapalis-Baird v. City and County of San Francisco, et al. (City Attorney)

2/9/04, RECEIVED AND ASSIGNED to Rules Committee

Heard in committee. Speakers: Cheryl Adams, Deputy City Attorney.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

040161 [Settlement of Lawsuit - Clara Tempongko, et al.]

Ordinance authorizing settlement of the lawsuit filed by Clara Tempongko, Janine Bersabe, by and through her Guardian ad Litem Clara Tempongko, and Justin Nguyen, by and through his Guardian, Shawn Nguyen against the City and County of San Francisco for \$500,000; the lawsuit was filed on October 18, 2001 in the United States District Court, Case No. C01-3927 SBA; entitled Clara Tempongko, et al., v. City and County of San Francisco, et al. (City Attorney)

2/9/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Cheryl Adams, Deputy City Attorney.

Continued to March 10, 2004.

CONTINUED by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

040163 [Settlement of Lawsuits and Assessment Appeals]

Ordinance authorizing settlement of lawsuits and assessment appeals filed by Mission Housing Development Co., Thomas Paine, Ltd., Vista del Monte, Ltd., Buchanan Park, Ltd., Prince Hall Ltd., Laurel Gardens, St. Francis Square Apartments, Friendship Village Inc., Casa de La Raza, Third Baptist Gardens/F. D. Haynes Apartments, and Glenridge Apartments versus the City and County of San Francisco by payment of a total amount not to exceed \$1,800,000.00; the cases and appeals are Mission Housing I (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A075003), Mission Housing II (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A085462), Mission Housing III (San Francisco Co. Super Ct No. 300781), Mission Housing IV (those assessment appeals for which a decision was rendered by the Assessment Appeals Board on September 9, 2003), and Mission Housing V (San Francisco Co. Superior Ct. No. 502335, Court of Appeal No. A104180); the settlement includes any claims for reduced assessment for the 2002-2003 tax year and Plaintiffs/Claimants shall not file any claims for refund based on Sections 1604 or 2635 of the Revenue and Taxation Code. (A copy of proposed Settlement Agreement placed in Board File No. 040163.) (City Attorney)

2/9/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in committee. Speakers: Cheryl Adams, Deputy City Attorney, Julie Van Nostern, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 3 - Hall, Dufty, Gonzalez

ADJOURNMENT

The meeting adjourned at 11:24 a.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Tony Hall, Bevan Duffy and Matt Gonzalez

Clerk: Deborah Muccino

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, March 03, 2004

9:30 AM

City Hall, Room 263

Special Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

FEB 27 2004

REGULAR AGENDA

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PUBLIC LIBRARY

100-24-111

1. 031876 [Regulation of Permit Consultants commonly known as Permit Expeditors]
Supervisors Daly, Gonzalez
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on permit consultants.

Supervisor Hall excused.

11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003

1/16/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for comment.

1/22/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for Comment

1/22/04, REFERRED TO DEPARTMENT. Referred to Paul Maltzer for Environmental Review.

2/4/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ken Bruce, Budget Analyst's office; Bob Planthold, Ted Lakey, Deputy City Attorney; Anita Mayo, Pat Buscovich; Jeremy Paul, Jane Bell; Tony Sanchez-Correa, Ken Cochrane; Gary Bell; Alfred Sanchez; Val Adams; John Peterson; Henry Karnilowicz; Phil Fernandez; Amy Lee, Assistant Director, Department of Building Inspection; Lawrence Comfield, Chief Building Inspector.

2/4/04 Amendment of the whole bearing new title.

Continued to February 11, 2004 at 2:00 p.m.

2/4/04, CONTINUED.

2/5/04, REFERRED TO DEPARTMENT. Referred to Planning Department, Ethics Commission and Small Business Commission for comment.

2/6/04, RESPONSE RECEIVED. Paul Maltzer, the Environmental Review Officer, stated it does not require any environmental review under CEQA, as the registration and disclosure requirements proposed do not have any potential for physical effect on the environment. As such, the proposal is not a project under CEQA and therefore no environmental review is required.

2/11/04, CONTINUED. Heard in committee. Speakers: Ed Harrington, Controller; Louis Louvan, DTIS; Frank Chiu, Director, Department of Building Inspection; Ted Lakey, Deputy City Attorney; Ginny Vida, Ethics Commission; Bob Planthold, Ethics Commission; Pat Buscovich; Dipak Patel; Patricia Vaughney; Anita Mayo; Jeremy Paul; Tony Sanchez-Correa; Henry Karnilowicz; Amy Lee, Assistant Director, Deputy Building Inspection.

Supervisor Hall excused. Continued to March 3, 2004 at 9:30 a.m.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

040146 [Determination of Fiscal Feasibility of Proposed Project]**Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 28 to require Board of Supervisors review of a proposed project meeting certain criteria and a determination that the proposed project is fiscally responsible and feasible before undertaking environmental review of the proposed project.

2/3/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/4/2004

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

RULES COMMITTEE
S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689

IMPORTANT HEARING NOTICE!!!



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Tony Hall, Bevan Duffy and Matt Gonzalez

Clerk: Deborah Muccino

City Hall
1 Dr. Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, March 03, 2004

9:30 AM

City Hall, Room 263

Special Meeting

Members Present: Bevan Duffy, Matt Gonzalez.

Members Absent: Tony Hall.

MEETING CONVENED

DOCUMENTS DEPT.

MAR - 9 2004

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The meeting convened at 9:55 a.m.

031876 [Regulation of Permit Consultants commonly known as Permit Expeditors]

Supervisors Daly, Gonzalez

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on permit consultants.

Supervisor Hall excused.

11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.

1/16/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for comment

1/22/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for Comment

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2/4/04, AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ken Bruce, Budget Analyst's office; Bob Planthold, Ted Lakey, Deputy City Attorney; Anita Mayo; Pat Buscovich, Jeremy Paul, Jane Bell; Tony Sanchez-Corea; Ken Cochrane; Gary Bell; Alfred Sanchez; Val Adams; John Peterson; Henry Karnilowicz, Phil Fernandez, Amy Lee, Assistant Director, Department of Building Inspection; Lawrence Cornfield, Chief Building Inspector.

2/4/04 Amendment of the whole bearing new title.

Continued to February 11, 2004 at 2:00 p.m.

2/4/04, CONTINUED

2/5/04, REFERRED TO DEPARTMENT. Referred to Planning Department, Ethics Commission and Small Business Commission for comment

2/6/04, RESPONSE RECEIVED. Paul Maltzer, the Environmental Review Officer, stated it does not require any environmental review under CEQA, as the registration and disclosure requirements proposed do not have any potential for physical effect on the environment. As such, the proposal is not a project under CEQA and therefore no environmental review is required.

2/11/04, CONTINUED. Heard in committee. Speakers: Ed Harrington, Controller; Louis Louvan, DTIS; Frank Chiu, Director, Department of Building Inspection; Ted Lakey, Deputy City Attorney; Ginny Vida, Ethics Commission; Bob Planthold, Ethics Commission; Pat Buscovich; Dipak Patel, Patricia Vaughney; Anita Mayo; Jeremy Paul, Tony Sanchez-Corea; Henry Karnilowicz; Amy Lee, Assistant Director, Deputy Building Inspection.

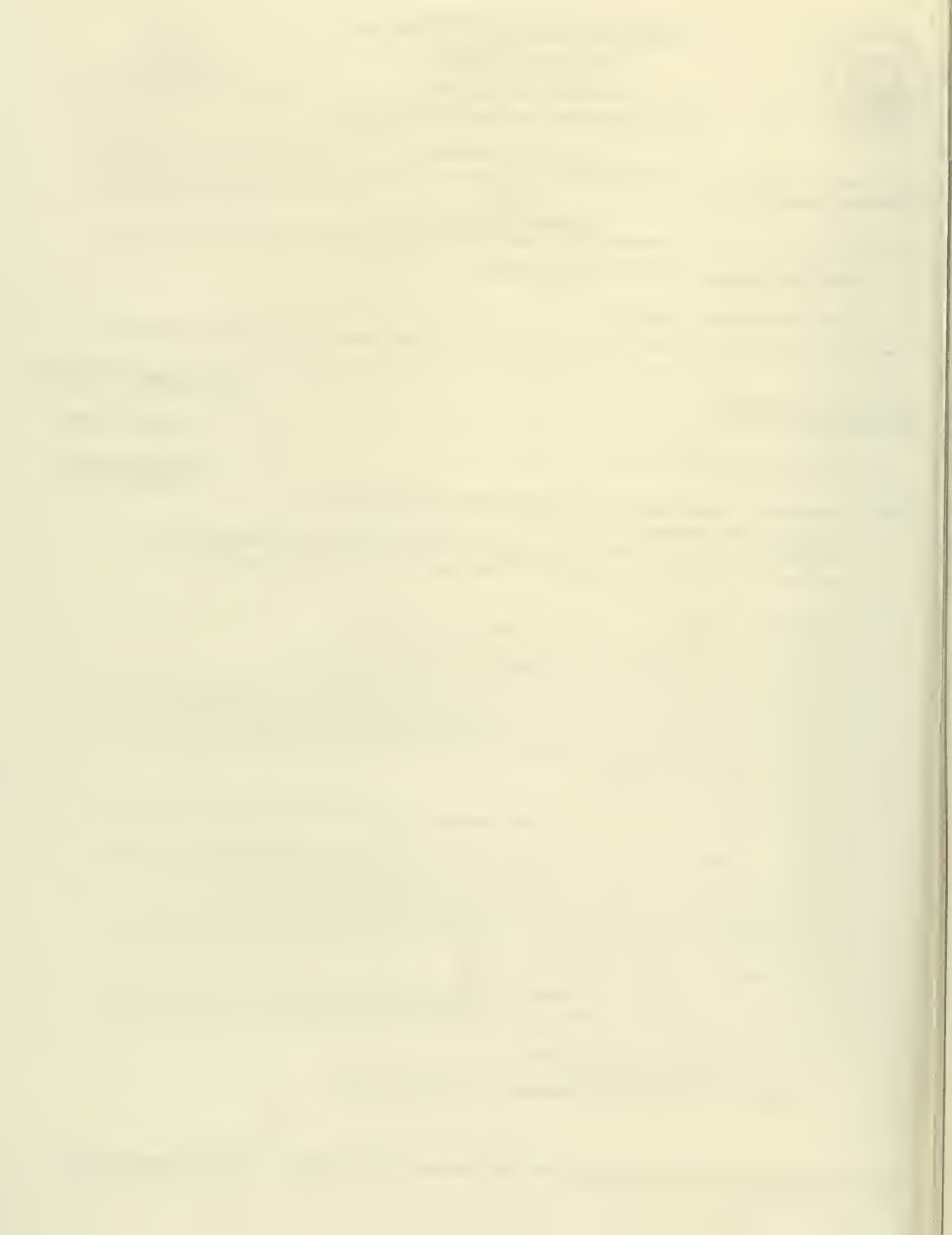
Supervisor Hall excused. Continued to March 3, 2004 at 9:30 a.m.

Heard in committee: Speakers: Ed Harrington, Controller; Ted Lakey, Deputy City Attorney; Jeremy Paul; Anita Mayo; Amy Lee, Assistant Director, Department of Building Inspection; Ken Cochrane; Pam Harris; Debra Stein; Gary Bell.

3/3/04 Amendment of the whole bearing new title.

Continued to 2:00 p.m. on March 24, 2004.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.



Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.150 to impose registration and disclosure requirements on permit consultants.

Supervisor Hall excused.

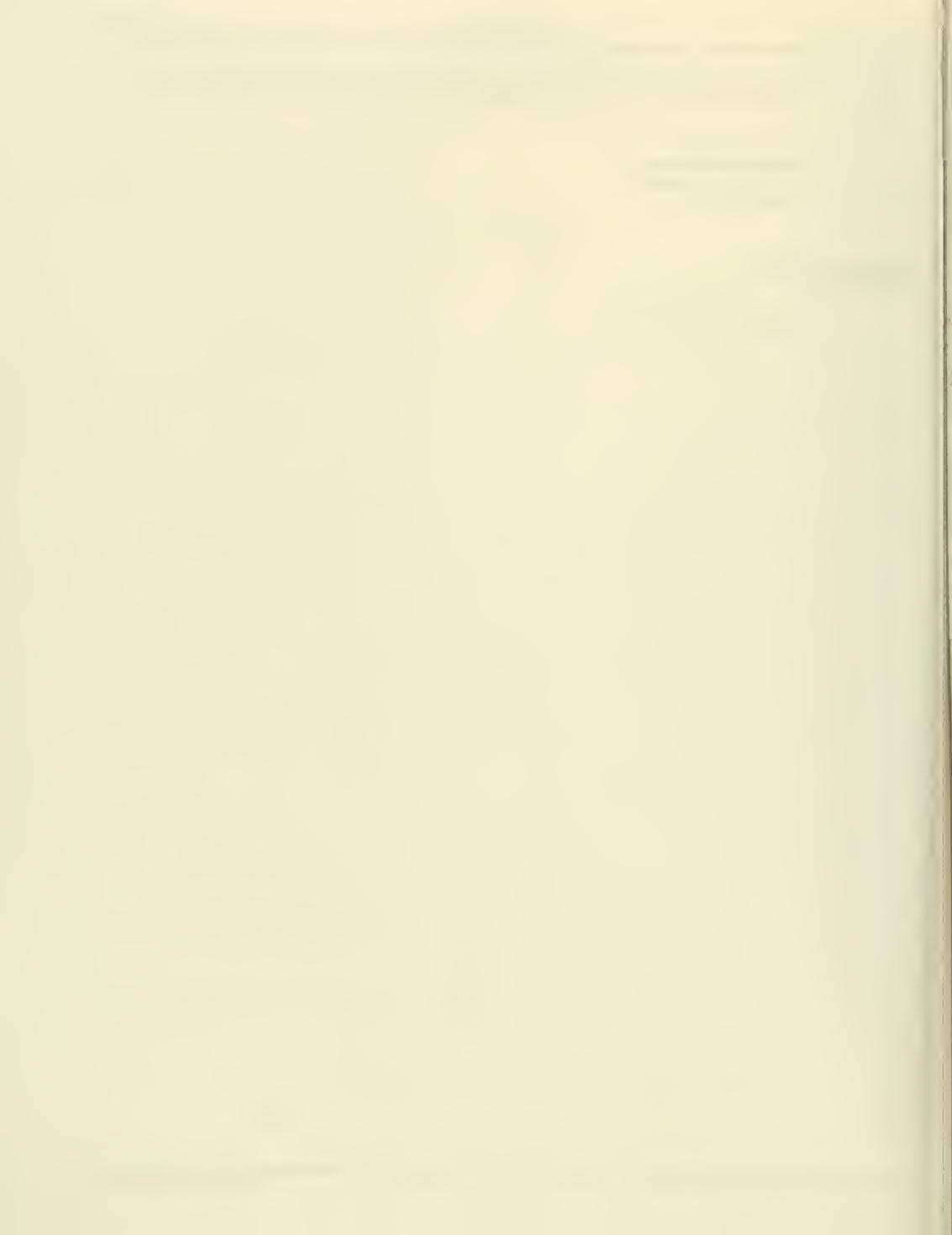
CONTINUED by the following vote:

Ayes: 2 - Dufty, Gonzalez

Absent: 1 - Hall

ADJOURNMENT

The meeting adjourned at 11:55 a.m.



CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642

FAX (415) 252-0461

February 26, 2004

TO: Rules Committee

DOCUMENTS DEPT.

FROM: Budget Analyst

MAR - 1 2004

SUBJECT: March 3, 2004 Special Rules Committee Meeting

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Item 1 - File 03-1876

Note: This item was continued by the Rules Committee at its meeting of February 11, 2004.

Department: Ethics Commission

Item: Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on Permit Consultants.

Description: Under the proposed ordinance, a Permit Consultant, commonly known as a Permit Expediter, is defined as any person or entity that receives or is promised economic consideration equaling \$1,000 or more in a calendar year to assist a client in obtaining approval of a permit issued by the City and County of San Francisco through 1) providing information and advice regarding the permit application process, 2) preparing, submitting or changing a permit application, 3) paying permit application fees on behalf of the client, 4) communicating with City departments such as the Planning Department regarding the contents, procedure, or status of a permit application, 5) conveying the permit application through the requisite stages of the permit issuance process, 6) picking up a

permit from a City department, 7) requesting that a permit be denied for purposes of filing an appeal, and 8) representing or assisting a client in an appeal of a permit that has been denied by a City department.

Currently, the City does not have any requirements imposed on Permit Consultants to publicly disclose their identity or extent of efforts to obtain permits issued by the City on behalf of clients. The proposed ordinance would amend the Campaign and Governmental Conduct Code by adding a new Article V, section 5.100 to 5.135 which would:

- Require each Permit Consultant to initially register and reregister annually with the Ethics Commission prior to a January 1st deadline, and pay fees to the Ethics Commission of 1) \$100 at the time of the initial registration and \$100 annually at the time of each reregistration, and 2) \$50 annually for each client represented.
- Require the Permit Consultant to verify the accuracy and completeness of information provided to the Ethics Commission, retain related books, papers and documents for five years, and file a statement of termination with the Ethics Commission when a registered individual providing permit consulting services no longer provides such services.
- Require the Ethics Commission to provide forms to Permit Consultants for the reporting of all information, issue registration numbers, provide copies of the proposed ordinance and related materials to Permit Consultants, gather registration and reregistration information and issue compiled reports to the Board of Supervisors and the Mayor annually, preserve records, provide advice, investigate complaints and enforce against violations, and adopt reasonable and necessary rules and regulations for the implementation of the proposed ordinance.
- Impose a fine of \$50 per day on any Permit Consultant for each day that the Permit Consultant fails to initially register and fails to reregister annually with the Ethics Commission after the filing deadline of the original registration statement or report required under the subject ordinance. The registration and

reregistration statement or report would include such information as business name, name of employees formerly employed by the City, type of permits sought, and economic consideration promised or received by client.

- Impose civil action liabilities upon any Permit Consultant, up to \$1,000 per violation, for providing permit consulting services without registering or complying with the reporting requirements, as set forth in this proposed ordinance.
- Authorize the Ethics Commission to create, adopt regulations for, and require a Permit Consultant to file, an electronic copy of the original statement or report. The subject ordinance also imposes a fine of \$50 per day for late electronic filing.

According to Mr. Edward Olsen of the City Attorney's Office, the purpose the subject ordinance is to impose reasonable restrictions and disclosure requirements on Permit Consultants that will protect the public's confidence in the integrity of the permitting processes of City departments.

Fiscal Impact:

Attachment I, provided by Ms. Mabel Ng of the Ethics Commission, details the estimated administrative costs, not including electronic filing costs (see Comment No. 2), associated with implementing the proposed ordinance. Such costs are estimated at \$28,984 in the first year, including initial start-up costs, and \$21,859 annually based on FY 2003-2004 salary and benefit levels. Ms. Ng reports that such costs will be included in the Department's future annual budgets. Attachment II, provided by Ms. Ng, is a detailed description of the related tasks supporting the cost estimate.

Comments:

1. According to Ms. Ng, the Ethics Commission estimates that there are currently approximately 20 Permit Consultants who would be affected by the proposed ordinance, and would be required to register/reregister, and report to the Ethics Commission prior to the January 1st deadline annually. Ms Ng estimates that each of the 20 Permit Consultants has an average of 10 clients. Based on an estimated 20 Permit Consultants, having an average of 10 clients each, the

Ethics Commission estimates that approximately \$12,000 annually would be generated from the proposed fees paid, as shown in the table below.

		Annual Fees	Estimated Annual Revenue
Estimated Number of Permit Consultants	20	\$100	\$2,000
Estimated Number of Clients (10 per Consultant)	200	50	10,000
Total			\$12,000

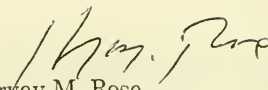
2. According to Ms. Ng, should the actual number of Permit Consultants and/or Clients of Permit Consultants be greater than the estimates shown in the above table, the Ethics Commission does not anticipate that the total estimated administrative cost of \$28,984 in the first year, and \$21,859 annually thereafter, will increase significantly.

3. Ms. Ng states that the estimated first year costs of \$28,984 to implement the proposed ordinance does not include the costs to enable the electronic filing of statements and reports. According to Ms. Ng, enabling electronic filing would require the development of new software to capture specific information requested in the proposed ordinance. Ms. Ng reports that the cost to develop such software to enable electronic filing would range between \$50,000 to \$70,000 depending on the number of fields required in the database. According to Ms. Ng, the Ethics Commission currently has no plans to implement electronic filing.

Recommendation:

Approval of the proposed ordinance is a policy decision for the Board of Supervisors.

Memo to Rules Committee
March 3, 2004 Special Rules Committee Meeting


Harvey M. Rose

cc: Supervisor Hall
Supervisor Dufty
President Gonzalez
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey

Attachment 1
Estimated Costs of Implementing the Permit Expediter Program
Based on 20 Registered Persons

Task	Work Hours
Development of Reporting Forms, Instruction Manual and Regulations	160 (1 st year; thereafter, 10 hours)
Advice-Giving	50
Notification/Mailing	20
Intake/Receipt	10
Facial Audit	25
Report: Production/Distribution	50 (1 st year; thereafter 40 hours)
Bookkeeping	40
Press Releases	10
Investigations	150
Totals	515 hours @ \$37.11 (hourly salary) = \$19,112 plus 20% fringes = \$22,934 1 st year 355 hours @ \$37.11 (hourly salary) = \$13,174 plus 20% fringes = \$15,809 subsequent years
Other Costs	\$6,050 (equipment, supplies, reproduction, mailing)
Grand Total	\$28,984 1 st year; \$21,859 subsequent years

S:\Permit Expeditors\budget analyst 1.27.04.doc



ETHICS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

R. PLANTHOLD
CHAIRPERSON

RAEL L.

CHAIRPERSON

HELE ANGLADE
COMMISSIONER

JOE LYNN
COMMISSIONER

REEN Q. MCCOY
COMMISSIONER

RGINA E. VIDA
TIVE DIRECTOR

Date: January 27, 2004
To: Leanne Nhan
Office of the Budget Analyst
From: Mabel Ng, Deputy Executive Director
Re: Budget Analyst Questions for Item #03-1876

Estimated Costs of Implementing the Permit Expediter Program Based on 20 Registered Persons

1. Development of Registration Forms and Materials: The legislation requires that the Ethics Commission develop forms for the reporting of all information required under the proposed ordinance. The Commission may also adopt regulations to clarify the new law. Staff estimates that it will take approximately 160 hours to develop the forms, instruction manual and other materials, including regulations, related to the permit expeditor program. This work will be performed by the Deputy Executive Director, who is a class 1824. However, once the forms and materials are developed, staff anticipates that the annual costs to update the forms and materials will be considerably less, approximately 10 hours per year. These tasks could be performed by the Senior Administrative Analyst.
2. Advice-Giving: This task requires giving oral and/or written advice. Routine questions can be handled with straightforward answers over the phone. All other questions must be submitted in writing. Responding to requests for written advice involves conducting legal research, conferring with counsel, drafting a response and referring it to the City Attorney and District Attorney for their concurrence or non-concurrence. This is very time consuming, and there are frequent requests for written advice when a new law is implemented. Written advice is provided by the Deputy Executive Director; the Senior Administrative Analyst may provide oral advice.
3. Notification/Mailing: This task requires drafting and sending letters to permit expeditors to inform them about registration requirements and filing deadlines. In addition, staff must notify and issue follow-up notices to those permit expeditors who have failed to register or pay their annual re-registration fees and client fees.

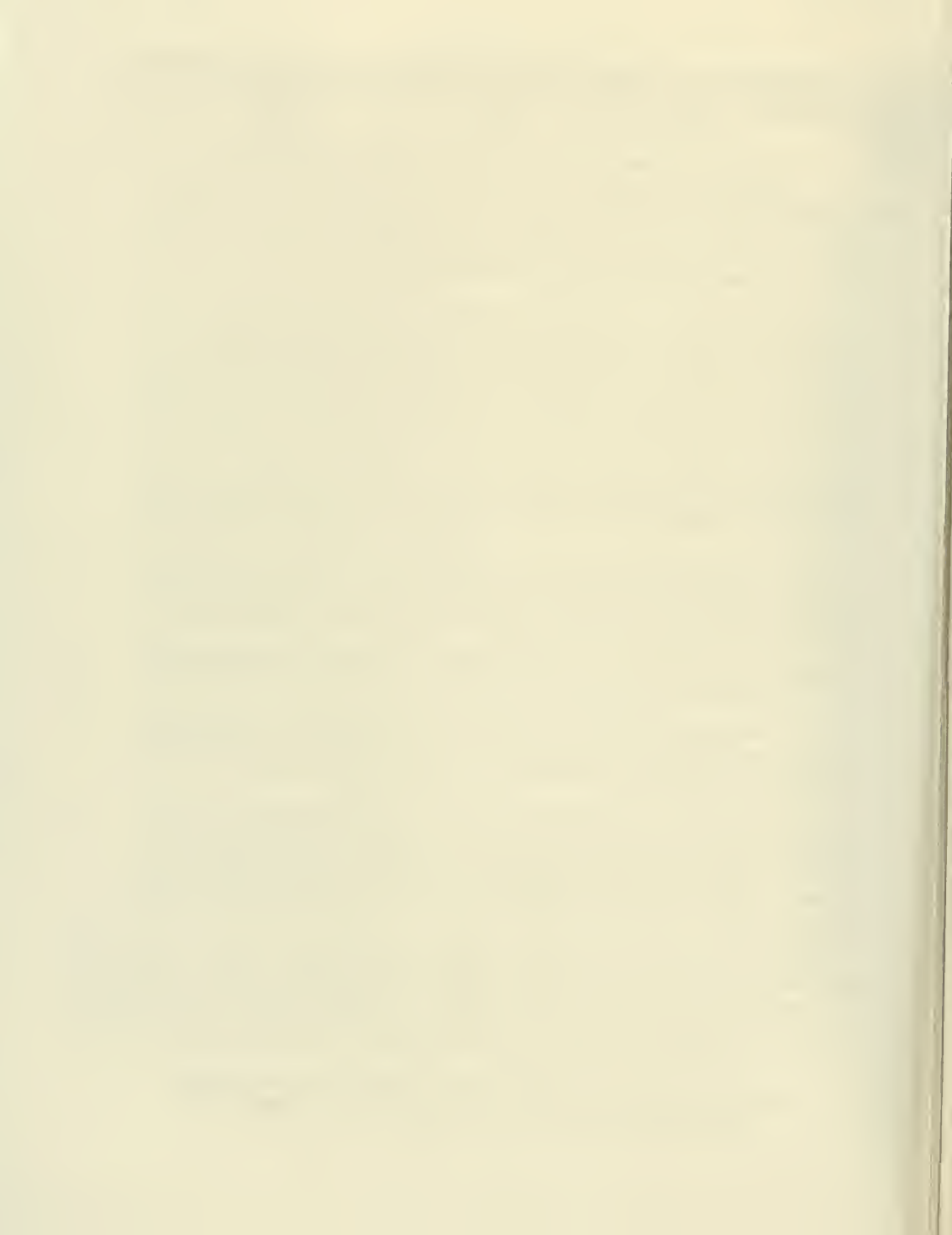
4. **Intake/Receipt:** This task requires date-stamping the reports, creating folders for each permit expeditor, and copying and filing the reports in the both the public and back-office folders.
5. **Facial Audit:** This task requires reviewing the forms to check that all appropriate documents have been filed, noting whether any fees are required and have been submitted, and whether the appropriate signature is included. This task also requires carefully reviewing each permit expeditor's report to determine if it meets the standard for sufficient specificity, notifying permit expeditors of deficient filings, and following up to ensure that deficient filings are amended to comply with filing requirements.
6. **Report: Production/Distribution:** This task requires creating a report format, and compiling large portions of each permit expeditor's filing into a report format, which includes tables and charts for that year's filings. Filings for each year are reviewed, and figures are checked against previous filings. This task also involves duplicating and distributing the report to the appointing authorities, the Board of Supervisors, the Mayor, and interested parties, and posting the report to the Ethics Commission's web site.
7. **Addition/Termination of Clients:** This task requires copying and filing client registration and authorization forms, and conducting a facial audit and data entry check for tracking, payments and accounting. It also includes creating a chart for posting the information on our web site, and posting the information.
8. **Bookkeeping:** This task requires copying and depositing checks for permit expeditors and client registration and re-registration fees and late fines. It also requires that tracking of revenues and generation of revenue estimates for the City's annual budget process.
9. **Press Releases:** This task involves drafting and faxing a press release to the media, City officials, and interested parties each time an annual summary report is issued.
10. **Investigations:** This task requires Commission staff to conduct inquiries and investigations into possible violations of the law, pursuant to Charter section C3.699-13 and the regulations adopted thereunder. The Commission's investigator is class 1823.
11. **Other Costs:** These costs include overhead, such as maintenance and rental of our photocopiers (estimated at approximately 5 percent of yearly cost of \$12,000, or \$600 per year); DTIS work order for LAN support (5 percent of \$35,000 per year, or approximately \$1,750 per year); rental of office space (5 percent of \$70,000 per year, or approximately \$3500 per year); and paper and supplies (approximately \$200 per year).

Please note that the estimates are based on the \$37.11 hourly salary of a Class 1823 Senior Administrative Analyst, Step 5, position, which is the salary for the Commission's investigator. A class 1823 will be able to perform most of the administrative tasks as well as work on program-related investigations. However, written advice is handled by the Deputy Executive Director, a class 1824 position with a salary that is higher than the 1823 position.

**Anticipated Revenues Based on Fees Provided in Proposed Legislation
Based on 20 Registered Expeditors and 10 Clients per Expediter**

Expediter/Client	Number	Fee	Revenue Generated
Permit Expeditors	20	\$100	\$2,000
Clients	10 per expeditor	\$50	\$10,000
Total			\$12,000

S:\Permit Expeditors\budget analyst 1.27.04 costs.doc





City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Tony Hall, Bevan Dufty, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, March 10, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

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AGENDA CHANGES

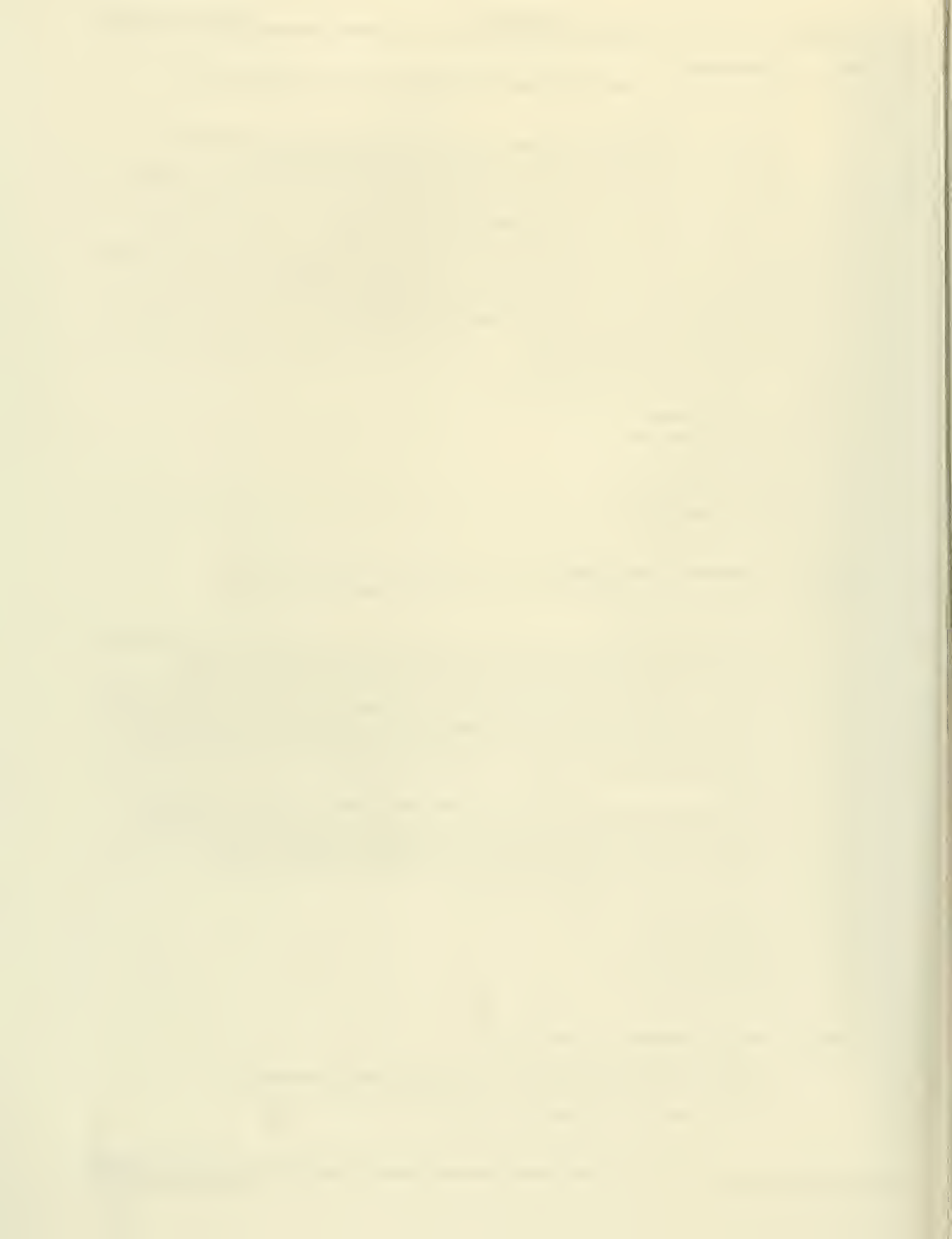
DOCUMENTS DEPT.

MAR - 5 2004

REGULAR AGENDA

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1. 040052 **[Appointment]**
Hearing to consider appointing six members to the Pedestrian Safety Advisory Committee.
- 6 seats being considered
Vacant seat, succeeding Cheryl Brinkman, term expired, seat 1, must be a representative from pedestrian safety organizations, for a two year term ending March 28, 2006.
Vacant seat, succeeding Ken Kelton, term expired, seat 3, must be a representative from pedestrian safety organizations, for a two year term ending March 28, 2006.
Vacant seat, succeeding Helen Kwan, term expired, seat 5, must be a representative from senior or disability organizations, for a two year term ending March 28, 2006.
Vacant seat, succeeding Howard Strassner, term expired, seat 7, must be a representative from transit or environmental organization, for a two year term ending March 28, 2006.
Vacant seat, succeeding Shirley Bierly, term expired, seat 9, must be a representative from a public health organization, for a two year term ending March 28, 2006.
Vacant seat, succeeding Sharon Priest, term expired, seat 11, must represent the public at-large, for a two year term ending March 28, 2006.
- 1/8/04, RECEIVED AND ASSIGNED to Rules Committee.
6 seats/6 applicants
Cheryl Brinkman, seat 1
Ken Kelton, seat 3
Helen Kwan, seat 5
Howard Strassner, seat 7
Shirley Bierly, seat 9
Sharon Priest, seat 11
2. 040267 **[Appointment - Health Authority]**
Hearing to consider appointing four members to the San Francisco Health Authority.
- 4 seats being considered
Vacant seat, succeeding, Anthony Wagner, resigned, seat 3, must be senior manager of San Francisco General Hospital, for the unexpired portion of a three year term ending January 15, 2006.
Vacant seat, succeeding, Dale Butler, term expired, seat 9, must be nominee of SF Labor Council, or any successor organization, for the unexpired portion of a three year term ending January 15, 2006.
Vacant seat, succeeding, Maria Luz Torres, term expired, seat 10, must be a nominee of the Health Authority Beneficiary Advisory Committee who shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three year term ending January 15, 2007.
Vacant seat, succeeding, Steve Fields, term expired, seat 12, must be a person knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the health authority, nominated by the program committee of the health committee, for the unexpired portion of a three year term ending January 15, 2006.
- 2/24/04, RECEIVED AND ASSIGNED to Rules Committee.
4 seats/4 applicants
Gene Marie O'Connell, seat 3
Dale Butler, seat 9
Maria Luz Torres, seat 10
Steve Fields, seat 12
3. 040106 **[Police Commissioners Selection Process]**
Supervisor Ammiano
Hearing to review the selection process for San Francisco Police Commissioners.
- 1/27/04, RECEIVED AND ASSIGNED to Rules Committee



4. **040193 [Public Utilities Citizens' Advisory Committee]**
 Supervisors Ammiano, Maxwell
 Ordinance establishing a Public Utilities Citizens' Advisory Committee; setting standards for appointment of members; scope of review; meetings, reports and recommendations and abolishing the Wastewater Citizen's Advisory Committee.

 2/10/04, RECEIVED AND ASSIGNED to Rules Committee.
5. **040252 [Board of Supervisors Meeting Schedule - Week of May 3, 2004]**
 Supervisor Gonzalez
 Resolution revising the regular meeting schedule of the Board of Supervisors by canceling all Board and Committee meetings during the week of May 3, 2004.

 2/24/04, RECEIVED AND ASSIGNED to Rules Committee.

LITIGATION

Conference with City Attorney

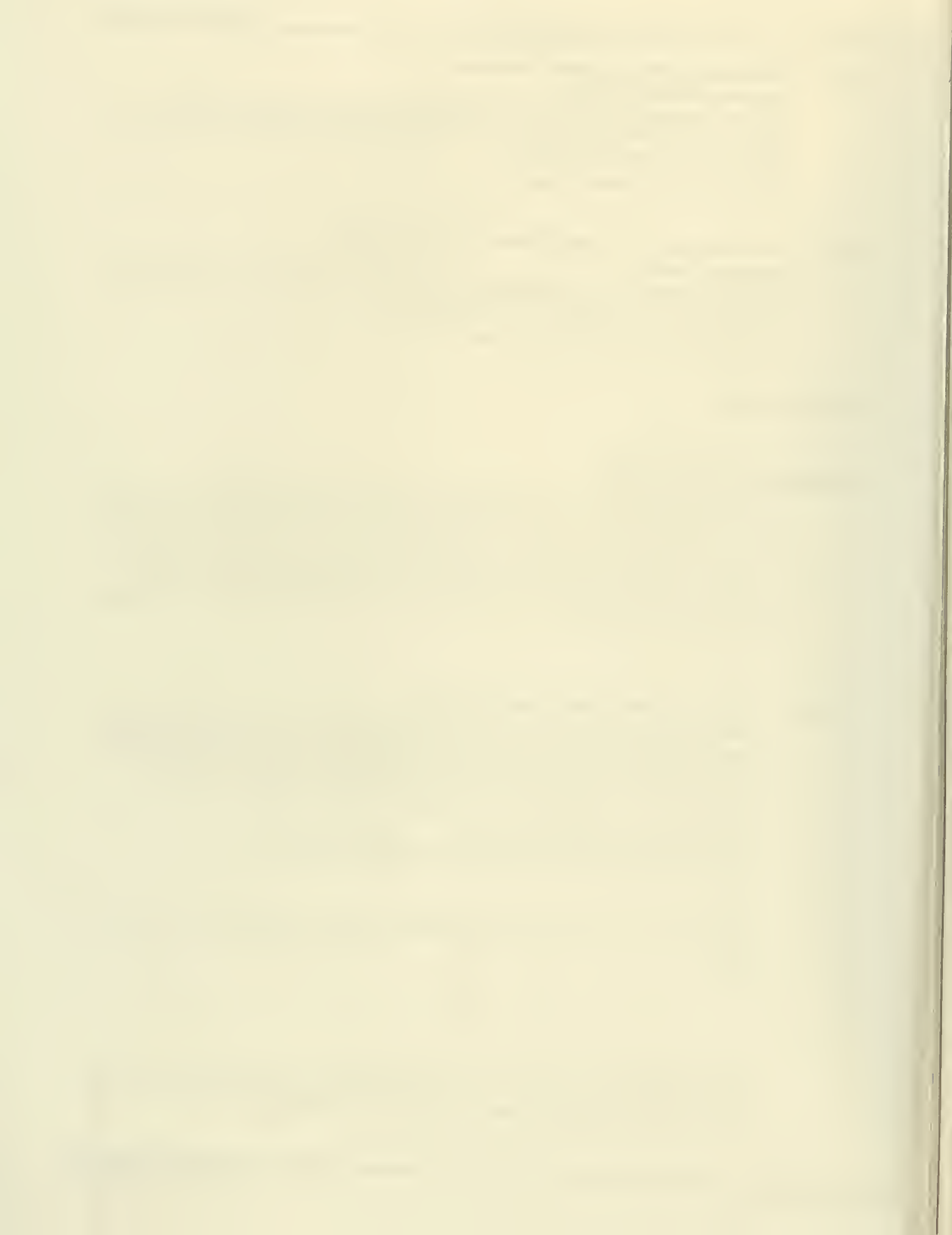
[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

6. **040161 [Settlement of Lawsuit - Clara Tempongko, et al.]**
 Ordinance authorizing settlement of the lawsuit filed by Clara Tempongko, Janine Bersabe, by and through her Guardian ad Litem Clara Temponkgo, and Justin Nguyen, by and through his Guardian, Shawn Nguyen against the City and County of San Francisco for \$500,000; the lawsuit was filed on October 18, 2001 in the United States District Court, Case No. C01-3927 SBA; entitled Clara Tempongko, et al., v. City and County of San Francisco, et al. (City Attorney)

 2/9/04, RECEIVED AND ASSIGNED to Rules Committee
 2/25/04, CONTINUED. Heard in committee Speakers: Cheryl Adams, Deputy City Attorney.
 Continued to March 10, 2004

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]
Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.



[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

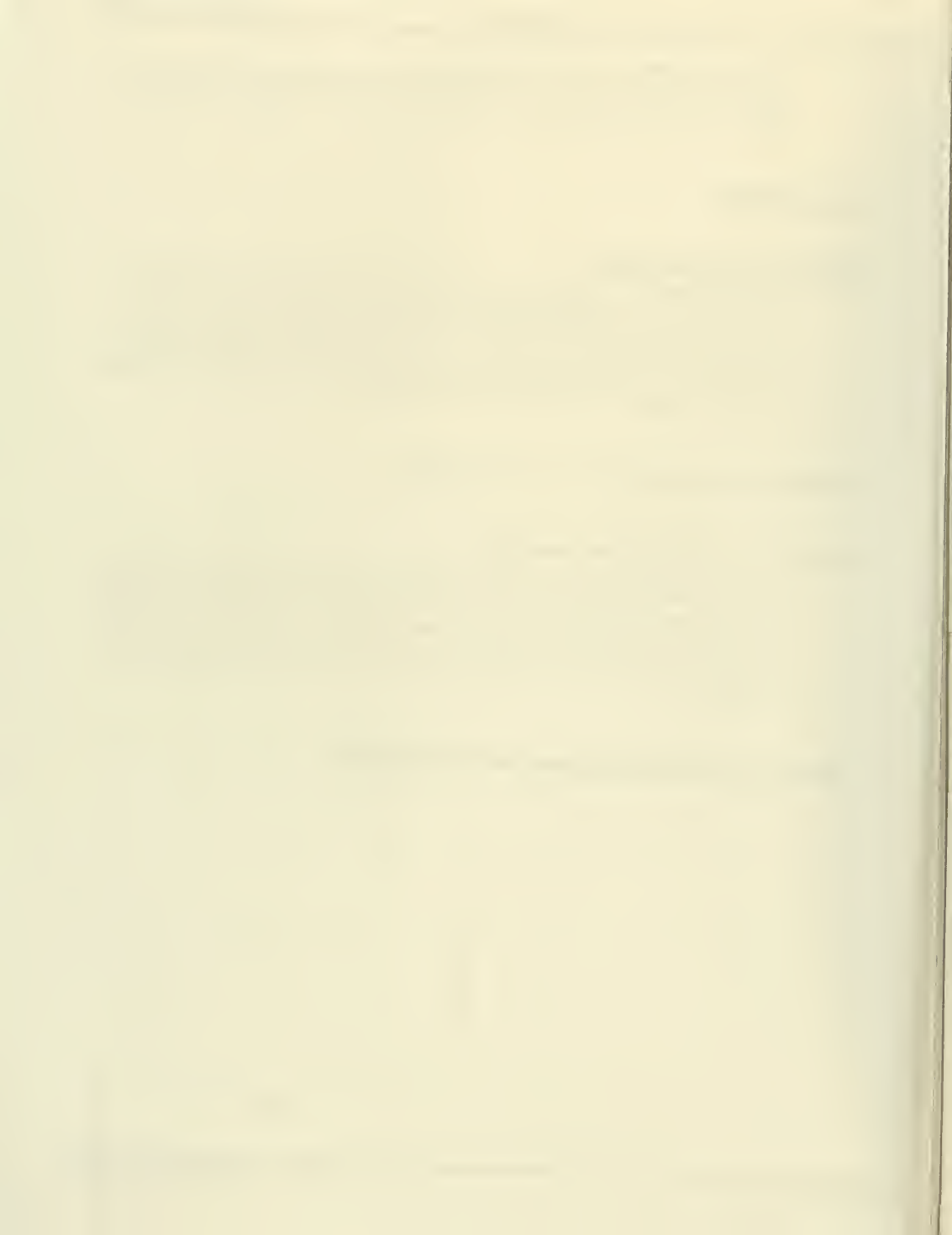
NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

There are no items currently pending under the 30 day rule



Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

· Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

· The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

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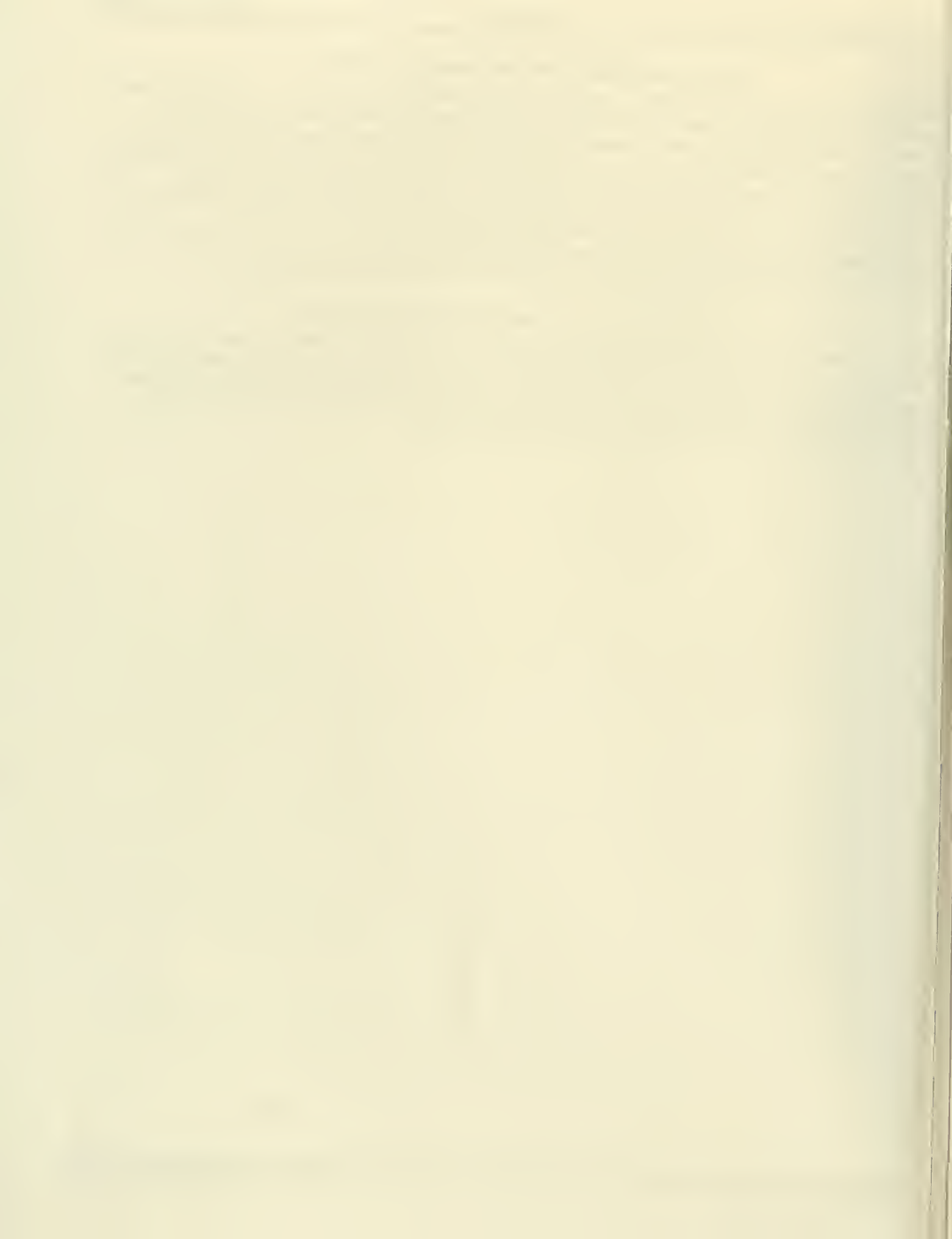
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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics





City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Tony Hall, Bevan Dufty, Matt Gonzalez

Clerk: Linda Laws

[All Committees]

SF Public Library

Govt. Information Center, 5th Flr.

ATTN: Michael Sherrod-Flores

Wednesday, March 10, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez, Tom Ammiano.

Members Absent: Bevan Dufty.

DOCUMENTS DEPT.

MAR 15 2004

SAN FRANCISCO
PUBLIC LIBRARY

MEETING CONVENED

The meeting convened at 9:43 a.m. Board President Matt Gonzalez appointed Supervisor Tom Ammiano to serve on the Rules Committee for today's meeting only.

REGULAR AGENDA

040052 [Appointment - Pedestrian Safety Advisory Committee]

Hearing to consider appointing six members to the Pedestrian Safety Advisory Committee.

6 seats being considered

Vacant seat, succeeding Cheryl Brinkman, term expired, seat 1, must be a representative from pedestrian safety organizations, for a two year term ending March 28, 2006.

Vacant seat, succeeding Ken Kelton, term expired, seat 3, must be a representative from pedestrian safety organizations, for a two year term ending March 28, 2006.

Vacant seat, succeeding Helen Kwan, term expired, seat 5, must be a representative from senior or disability organizations, for a two year term ending March 28, 2006.

Vacant seat, succeeding Howard Strassner, term expired, seat 7, must be a representative from transit or environmental organization, for a two year term ending March 28, 2006.

Vacant seat, succeeding Shirley Bierly, term expired, seat 9, must be a representative from a public health organization, for a two year term ending March 28, 2006.

Vacant seat, succeeding Sharon Priest, term expired, seat 11, must represent the public at-large, for a two year term ending March 28, 2006.

1/8/04, RECEIVED AND ASSIGNED to Rules Committee.

Speakers: None.

Appointment of Cheryl Brinkman, seat 1, Ken Kelton, seat 3, Helen Kwan, seat 5, Howard Strassner, seat 7, Shirley Bierly, seat 9, Sharon Priest, seat 11, recommended

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Cheryl Brinkman, Ken Kelton, Helen Kwan, Howard Strassner, Shirley Bierly and Sharon Priest, term ending March 28, 2006 to the Pedestrian Safety Advisory Committee.

Cheryl Brinkman, succeeding herself, term expired, seat 1, must be a representative from pedestrian safety organizations, for a two-year term ending March 28, 2006.

Ken Kelton, succeeding himself, term expired, seat 3, must be a representative from pedestrian safety organizations, for a two-year term ending March 28, 2006.

Helen Kwan, succeeding herself, term expired, seat 5, must be a representative from senior or disability organizations, for a two-year term ending March 28, 2006.

Howard Strassner, succeeding himself, term expired, seat 7, must be a representative from transit or environmental organization, for a two-year term ending March 28, 2006.

Shirley Bierly, succeeding herself, term expired, seat 9, must be a representative from a public health organization, for a two-year term ending March 28, 2006.

Sharon Priest, succeeding herself, term expired, seat 11, must represent the public at-large, for a two-year term ending March 28, 2006.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez

Absent: 2 - Dufty, Ammiano

040267 [Appointment - Health Authority]

Hearing to consider appointing four members to the San Francisco Health Authority.

4 seats being considered

Vacant seat, succeeding, Anthony Wagner, resigned, seat 3, must be senior manager of San Francisco General Hospital, for the unexpired portion of a three year term ending January 15, 2006.

Vacant seat, succeeding, Dale Butler, term expired, seat 9, must be nominee of SF Labor Council, or any successor organization, for the unexpired portion of a three year term ending January 15, 2006.

Vacant seat, succeeding, Maria Luz Torres, term expired, seat 10, must be a nominee of the Health Authority Beneficiary Advisory Committee who shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three year term ending January 15, 2007.

Vacant seat, succeeding, Steve Fields, term expired, seat 12, must be a person knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the health authority, nominated by the program committee of the health committee, for the unexpired portion of a three year term ending January 15, 2006.

2/24/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jean Frazier; Gene Marie O'Connell; Supervisor Tom Ammiano; Dale Butler; Maria Luz Torres; Francisco DaCosta; Andrew Bozeman.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Gene Marie O'Connell, Dale Butler, and Steven Fields, terms ending January 15, 2006, and Maria Luz Torres, term ending January 15, 2007, to the San Francisco Health Authority; residency requirement waived.

Gene Marie O'Connell, succeeding Anthony Wagner, resigned, seat 3, must be senior manager of San Francisco General Hospital, for the unexpired portion of a three year term ending January 15, 2006; residency requirement waived.

Dale Butler, succeeding himself, term expired, seat 9, must be nominee of SF Labor Council, or any successor organization, for the unexpired portion of a three year term ending January 15, 2006.

Maria Luz Torres, succeeding himself, term expired, seat 10, must be a nominee of the Health Authority Beneficiary Advisory Committee who shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three year term ending January 15, 2007.

Steven Fields, succeeding himself, term expired, seat 12, must be a person knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the health authority, nominated by the program committee of the health committee, for the unexpired portion of a three year term ending January 15, 2006; residency requirement waived.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez

Absent: 2 - Duffy, Ammiano

040106 [Police Commissioners Selection Process]

Supervisor Ammiano

Hearing to review the selection process for San Francisco Police Commissioners.

1/27/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Ammiano; Gloria Young, Clerk of the Board; Acting Chief Heather Feng, SFPD; Jean Field, OCC; Mark Schlossberg, ACLU; Malaika Parker; John Streeter, SF Bar Association; Kevin Liten; Francisco DaCosta; Andrew Bozeman; Edmund; Kevin Dehart.

FILED by the following vote:

Ayes: 3 - Hall, Gonzalez, Ammiano

Absent: 1 - Duffy

040193 [Public Utilities Citizens' Advisory Committee]

Supervisors Ammiano, Maxwell

Ordinance establishing a Public Utilities Citizens' Advisory Committee; setting standards for appointment of members; scope of review; meetings, reports and recommendations and abolishing the Wastewater Citizen's Advisory Committee.

2/10/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Tom Ammiano; Patricia Martel, SFPUC; Jean Clary; Steven Krafteen; Andrew Bozeman; Francisco DaCosta; Kevin Liten; Edmund; Richard Robinson; Ted Lakey, Deputy City Attorney.

3/10/04 Amendment of the Whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Hall, Ammiano

Absent: 2 - Duffy, Gonzalez

040252 [Board of Supervisors Meeting Schedule - Week of May 3, 2004]**Supervisor Gonzalez**

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling all Board and Committee meetings during the week of May 3, 2004.

2/24/04, RECEIVED AND ASSIGNED to Rules Committee.

Speakers: None.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Ammiano

Absent: 2 - Dufty, Gonzalez

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 2 - Hall, Gonzalez

Absent: 2 - Dufty, Ammiano

040161 [Settlement of Lawsuit - Clara Tempongko, et al.]

Ordinance authorizing settlement of the lawsuit filed by Clara Tempongko, Janine Bersabe, by and through her Guardian ad Litem Clara Tempongko, and Justin Nguyen, by and through his Guardian, Shawn Nguyen against the City and County of San Francisco for \$500,000; the lawsuit was filed on October 18, 2001 in the United States District Court, Case No. C01-3927 SBA; entitled Clara Tempongko, et al., v. City and County of San Francisco, et al. (City Attorney)

2/9/04, RECEIVED AND ASSIGNED to Rules Committee.

2/25/04, CONTINUED. Heard in committee. Speakers: Cheryl Adams, Deputy City Attorney
Continued to March 10, 2004.

Speaker: Cheryl Adams, Deputy City Attorney.

RECOMMENDED..

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

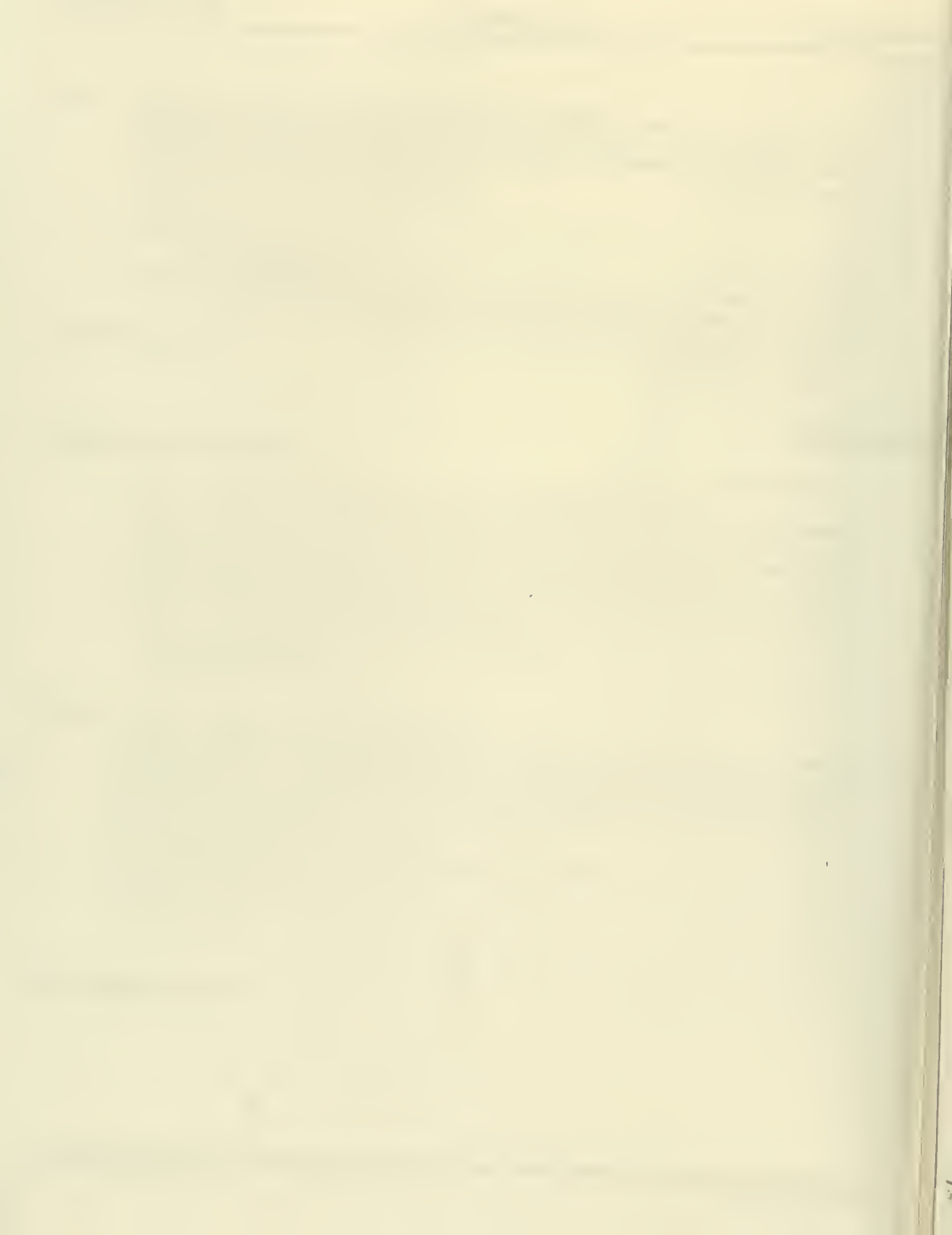
Unanimous vote to disclose discussion to the public by the following vote:

Ayes: 2 - Hall, Gonzalez

Absent: 2 - Dufty, Ammiano

ADJOURNMENT

The meeting adjourned at 12:05 p.m.





City and County of San Francisco [All Committees]
SF Public Library
Govt. Information Center, 5th Flr.
ATTN: Michael Sherrod-Flores

Meeting Agenda
Rules Committee

Members: Tony Hall, Bevan Dufty, Matt Gonzalez

Clerk: Linda Laws

Vednesday, March 17, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

MAR 12 2004

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR AGENDA

1. 031430 [Appointment - Immigrant Rights Commission]

Hearing to consider appointing four members to the Immigrant Rights Commission.

4 seats being considered

Vacant seat, succeeding Medea Benjamin, term expired, seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

Vacant seat, succeeding Hugh Wang, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

Vacant seat, succeeding Phu Nguyen, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

Vacant seat, succeeding Juan Berumen, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

8/15/03, RECEIVED AND ASSIGNED to Rules Committee.

4 seats/6 applicants

Deborah Escobedo, Elizabeth Saviano, Rachel Owsley, seat 4

Svetlana Kaff, seats 4, 7, 8, 11

Elmo Wedderburn, seats 7, 8, 11

Lisa Lepson, seat undeclared

2. 040307 [Appointment - Veterans Affairs Commission]

Hearing to consider appointing six members to the Veterans Affairs Commission.

6 seats being considered.

Vacant seat, succeeding Wallace Levin, term expired, seat 3, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Elizabeth Melnik, resigned, seat 4, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Carla Hollis, resigned, seat 5, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2006.

Vacant seat, succeeding George Gibbs, term expired, seat 6, must be a veteran with a physical disability, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Glen Raswyck, term expired, seat 9, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.

3/5/04, RECEIVED AND ASSIGNED to Rules Committee.

6 seats/ 3 applicants

Wallace Levin, seat 3

George Gibbs, seat 6

Charles Reed, seat undeclared

3. 040268 [Appointment - Treasure Island Development Authority Citizens Advisory Committee]
Hearing to consider appointing one member to the Treasure Island Development Authority Citizens Advisory Board.

1 seat being considered

Vacant seat, succeeding, Arnold Levine, resigned, seat 11, must possess any of the following qualifications: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending January 1, 2005.

2/26/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/6 applicants

Malinka Moye, Chrysanthé Gussis, Garrett Jenkins, Alex Lantsberg, Roy Schneiderman, Elizabeth Strahlstrom, seat 11

4. 040173 [Appointment - Lead Hazard Reduction Citizens Advisory Committee]

Hearing to consider appointing eleven members to the Lead Hazard Reduction Citizens Advisory Committee.

11 seats being considered

Vacant Seat, succeeding James Hutchinson, term expired, seat 2, must represent the Department of Building Inspection, for the unexpired portion of a term ending December 31, 2006.

Vacant Seat, succeeding Frances Doherty, term expired, seat 3, must be a painting contractor, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Theodore Strong, term expired, seat 4, must represent the building trades, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Joe LaTorre, term expired, seat 6, must be a representative involved in housing and community development issues from the Mayor's office, for the unexpired portion of a term ending December 31, 2006.

Vacant Seat, succeeding Neil Gendel, term expired, seat 8, must represent public interest organization, for the unexpired portion of a term ending December 31, 2006.

Vacant Seat, succeeding Tim Carrico, term expired, seat 9, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2004.

Vacant Seat, succeeding David LaCounte, term expired, seat 10, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Carolyn Gold, term expired, seat 12, must represent tenant organization, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Stephen Davis, term expired, seat 14, must be lead testing expert, for the unexpired portion of a term ending December 31, 2006.

Vacant Seat, succeeding Nancy Burns, term expired, seat 15, must be lead abatement expert, for the unexpired portion of a four-year term ending December 22, 2004.

Vacant Seat, succeeding Alecia Ashby, term expired, seat 22, must be a parent, for the unexpired portion of a four-year term ending December 22, 2005.

1/30/04, RECEIVED AND ASSIGNED to Rules Committee.

11 seats/ 8 applicants

Frances Doherty, seat 3 (residency waiver required)

Theodore Strong, seat 4

Joe LaTorre, seat 6 (residency waiver required)

Neil Gendel, seat 8

Tim Carrico, seat 9

Carolyn Gold, seat 12

Stephen Davis, seat 14 (residency waiver required)

James Forbes, seat undeclared

5. **040085 [Appointment - Childhood Nutrition & Physical Activity Task Force]**
Hearing to consider appointing two members to the Childhood Nutrition and Physical Activity Task Force.
- 2 seats being considered
Vacant seat, new position, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one year term ending December 12, 2004.
Vacant seat, new position, seat 14, must belong to a foundation or philanthropic organization with an interest in physical activity and healthy eating, for the unexpired portion of a one year term ending December 12, 2004.
- 1/16/04, RECEIVED AND ASSIGNED to Rules Committee
1/28/04, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: None.
2/3/04, CLERICAL CORRECTION. Added seat 14.
2/11/04, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Colleen Montoya, Youth Commission.
2 seats/2 applicants
Amina Adofoadom, seat 3
Scott Hoshida, seat 14 (residency waiver required)
6. **040308 [Appointment - Health Authority]**
Hearing to consider appointing one member to the Health Authority.
- 1 seat being considered
Vacant seat, succeeding Supervisor Michael Yaki, resigned, seat 1, must be a member of, or designated by, the Board of Supervisors, who shall serve at the pleasure of the Board.
- 3/8/04, RECEIVED AND ASSIGNED to Rules Committee.
1 seat/1 applicant
Jeffrey Serman, seat 1

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

7. **040160 [Settlement of Lawsuit - Maria Trapalis-Baird]**
Ordinance authorizing the settlement of lawsuit filed by Maria Trapalis-Baird against the City and County of San Francisco for \$285,000; the lawsuit was filed on April 22, 2002, in San Francisco Superior Court, Case No. 419634, entitled Trapalis-Baird v. City and County of San Francisco, et al. (City Attorney)
- 2/9/04, RECEIVED AND ASSIGNED to Rules Committee.
2/25/04, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Cheryl Adams, Deputy City Attorney.

8. 040217 [Settlement of Lawsuit - Pacific Bell Telephone Company and SBC Communications, Inc.]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Bell Telephone Company and SBC Communications, Inc., and a related law suit filed by Pacific Bell Telephone Company against San Francisco, for a payment to the Airport in the amount of \$4,057,204.26, and for a payment to the Department of Administrative Services of 20% of Pacific Bell's revenues from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and 2004, and on certain other terms; and approving the settlement agreement; the lawsuits were filed on December 19, 2002 and December 20, 2002, in San Francisco County Superior Court, Case Nos. 415-918 and 415-996; and respectively entitled City and County of San Francisco v. Pacific Bell Telephone Company and SBC Communications, Inc., and Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)

2/26/04, RECEIVED AND ASSIGNED to Rules Committee.

9. 040218 [Settlement of Lawsuit - Armstrong, et al., (Victor Humphrey)]
Ordinance authorizing settlement of the lawsuit filed by Victor Humphrey against the City and County of San Francisco for \$27,500.00; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)

3/1/04, RECEIVED AND ASSIGNED to Rules Committee

10. 040220 [Settlement of Lawsuit - Francisco Rivero and Pacific Interment Co., et al.]
Ordinance authorizing settlement of the lawsuit filed by Francisco Rivero and Pacific Interment Co. against the City and County of San Francisco for \$1,700,000, which includes payment of a total of \$52,000 in punitive damages; the lawsuit was filed on September 9, 1993 in the United States District Court, Case No. C93-3383; entitled Francisco Rivero and Pacific Interment Co., et al., v. City and County of San Francisco, et al. (City Attorney)

3/1/04, RECEIVED AND ASSIGNED to Rules Committee

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE**(Not to be considered at this meeting)**

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

There are no items pending under the 30 day rule.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

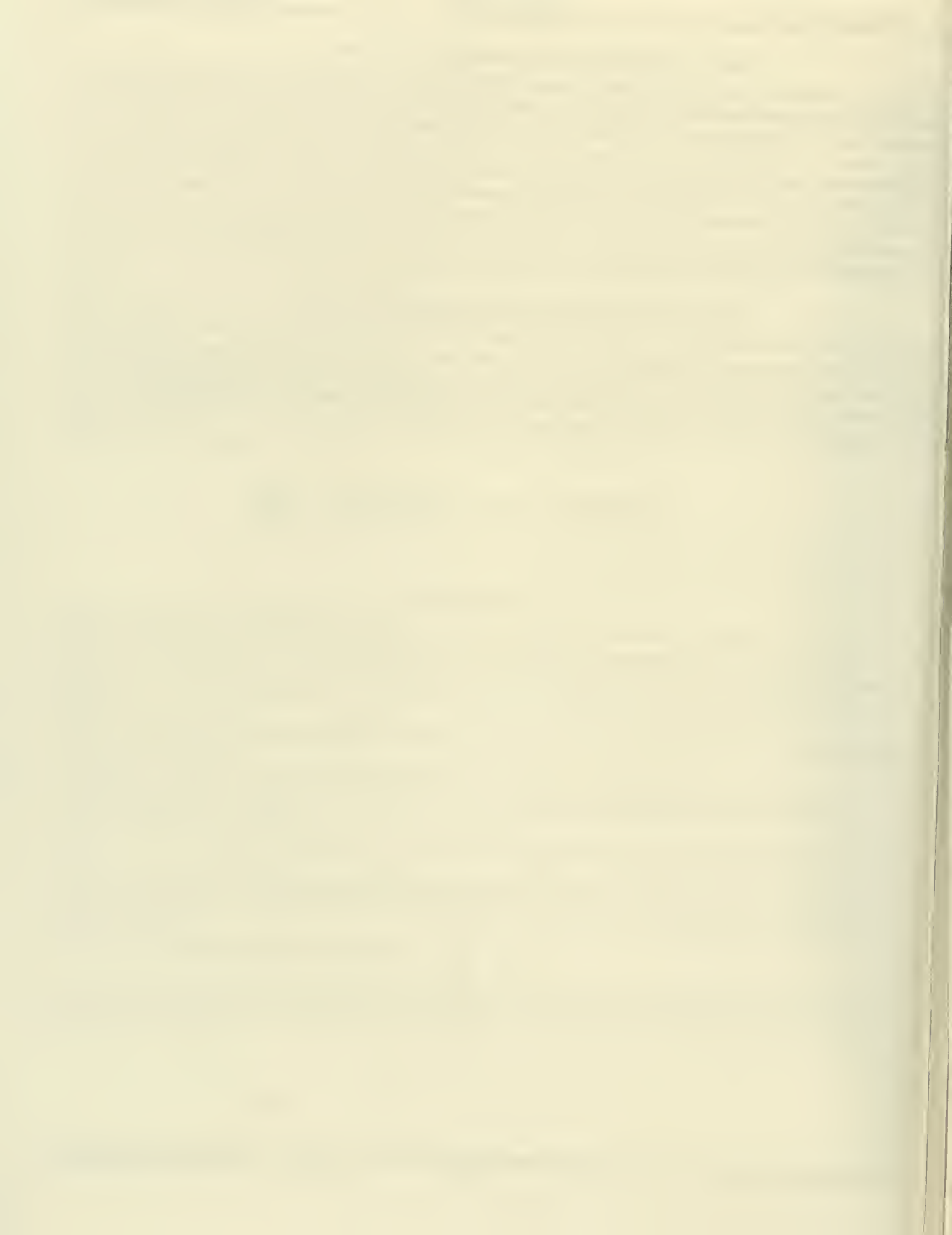
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics





City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Tony Hall, Bevan Dufty, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, March 17, 2004

9:30 AM

City Hall, Room 263

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez.

MEETING CONVENED

The meeting convened at 9:42 a.m.

DOCUMENTS DEPT.

MAR 26 2004

REGULAR AGENDA

SAN FRANCISCO
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031430

[Appointment - Immigrant Rights Commission]

Hearing to consider appointing four members to the Immigrant Rights Commission.

4 seats being considered

Vacant seat, succeeding Medea Benjamin, term expired, seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

Vacant seat, succeeding Hugh Wang, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

Vacant seat, succeeding Phu Nguyen, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

Vacant seat, succeeding Juan Berumen, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

8/15/03, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Dang Pham, Immigrant Rights Commission; Deborah Escobedo; Rachel Owsley; Svetlana Kaff; Lisa Lepson.

Appointment of Deborah Escobedo, seat 4, Svetlana Kaff, seat 7, recommended. Seats 8 and 11 divided and continued to the Call of the Chair. See File No. 040356.

DIVIDED.

Hearing to consider appointing two members to the Immigrant Rights Commission.

2 seats being considered:

Vacant seat, succeeding Medea Benjamin, term expired, seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

Vacant seat, succeeding Hugh Wang, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Deborah Escobedo and Svetlana Kaff, terms ending June 6, 2005, to the Immigrant Rights Commission.

Deborah Escobedo, succeeding Medea Benjamin, term expired, seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

Svetlana Kaff, succeeding Hugh Wang, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

RECOMMENDED...

040307 [Appointment - Veterans Affairs Commission]

Hearing to consider appointing six members to the Veterans Affairs Commission.

6 seats being considered.

Vacant seat, succeeding Wallace Levin, term expired, seat 3, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Elizabeth Melnik, resigned, seat 4, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Carla Hollis, resigned, seat 5, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2006.

Vacant seat, succeeding George Gibbs, term expired, seat 6, must be a veteran with a physical disability, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Glen Raswyck, term expired, seat 9, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.

3/5/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Wallace Levin; George Gibbs; Charles Reed, Rainey Champagne; Cheryl Cook, County Veterans Service Office; Raymond Wong; Bud Wilson; T.J. Anthony.

Appointment of Wallace Levin, seat 3, Charles Reed, seat 4, George Gibbs, seat 6, recommended. Seats 5, 9, and 10 divided and continued to the Call of the Chair. See File No. 040357.

DIVIDED.

Hearing to consider appointing three members to the Veterans Affairs Commission.

3 seats being considered:

Vacant seat, succeeding Wallace Levin, term expired, seat 3, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Elizabeth Melnik, resigned, seat 4, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding George Gibbs, term expired, seat 6, must be a veteran with a physical disability, for the unexpired portion of a four-year term ending January 31, 2008.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Wallace Levin, Charles Reed, and George Gibbs, terms ending January 21, 2008, to the Veterans Affairs Commission.

Wallace Levin, succeeding himself, term expired, seat 3, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Charles Reed, succeeding Elizabeth Melnik, resigned, seat 4, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

George Gibbs, succeeding himself, term expired, seat 6, must be a veteran with a physical disability, for the unexpired portion of a four-year term ending January 31, 2008.

RECOMMENDED...

040268

[Appointment - Treasure Island Development Authority Citizens Advisory Committee]

Hearing to consider appointing one member to the Treasure Island Development Authority Citizens Advisory Board.

1 seat being considered

Vacant seat, succeeding, Arnold Levine, resigned, seat 11, must possess any of the following qualifications: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending January 1, 2005.

2/26/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Chrysanthé Gussis; Garrett Jenkins; Alex Lansberg; Roy Schneiderman; Elizabeth Strahlstrom.

Appointment of Elizabeth Strahlstrom, seat 11.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Elizabeth Strahlstrom, term ending January 1, 2005, to the Treasure Island Development Authority Citizens Advisory Board.

Elizabeth Strahlstrom, succeeding Arnold Levine, resigned, seat 11, must possess any of the following qualifications: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending January 1, 2005.

RECOMMENDED...

040173

[Appointment - Lead Hazard Reduction Citizens Advisory Committee]

Hearing to consider appointing eleven members to the Lead Hazard Reduction Citizens Advisory Committee.

11 seats being considered

Vacant Seat, succeeding James Hutchinson, term expired, seat 2, must represent the Department of Building Inspection, for the unexpired portion of a term ending December 31, 2006.

Vacant Seat, succeeding Frances Doherty, term expired, seat 3, must be a painting contractor, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Theodore Strong, term expired, seat 4, must represent the building trades, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Joe LaTorre, term expired, seat 6, must be a representative involved in housing and community development issues from the Mayor's office, for the unexpired portion of a term ending December 31, 2006.

Vacant Seat, succeeding Neil Gendel, term expired, seat 8, must represent public interest organization, for the unexpired portion of a term ending December 31, 2006.

Vacant Seat, succeeding Tim Carrico, term expired, seat 9, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2004.

Vacant Seat, succeeding David LaCounte, term expired, seat 10, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Carolyn Gold, term expired, seat 12, must represent tenant organization, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Stephen Davis, term expired, seat 14, must be lead testing expert, for the unexpired portion of a term ending December 31, 2006.

Vacant Seat, succeeding Nancy Burns, term expired, seat 15, must be lead abatement expert, for the unexpired portion of a four-year term ending December 22, 2004.

Vacant Seat, succeeding Alecia Ashby, term expired, seat 22, must be a parent, for the unexpired portion of a four-year term ending December 22, 2005.

1/30/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Frances Doherty; Tim Carrico; Theodore Strong; Joe LaTorre; Neil Gendel; James Forbes.

Appointment of Frances Doherty, seat 3, Theodore Strong, seat 4, Joe LaTorre, seat 6, Neil Gendel, seat 8, Tim Carrico, seat 9, James Forbes, seat 10, Carolyn Gold, seat 12, Stephen Davis, seat 14. Seats 2, 15, and 22 divided and continued to the Call of the Chair. See File No. 040358.

DIVIDED.

Hearing to consider appointing eight members to the Lead Hazard Reduction Citizens Advisory Committee.

8 seats being considered:

Vacant Seat, succeeding Frances Doherty, term expired, seat 3, must be a painting contractor, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Theodore Strong, term expired, seat 4, must represent the building trades, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Joe LaTorre, term expired, seat 6, must be a representative involved in housing and community development issues from the Mayor's office, for the unexpired portion of a term ending December 31, 2006.

Vacant Seat, succeeding Neil Gendel, term expired, seat 8, must represent public interest organization, for the unexpired portion of a term ending December 31, 2006.

Vacant Seat, succeeding Tim Carrico, term expired, seat 9, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2004.

Vacant Seat, succeeding David LaCounte, term expired, seat 10, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Carolyn Gold, term expired, seat 12, must represent tenant organization, for the unexpired portion of a four-year term ending December 22, 2005.

Vacant Seat, succeeding Stephen Davis, term expired, seat 14, must be lead testing expert, for the unexpired portion of a term ending December 31, 2006.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Frances Doherty, Theodore Strong, James Forbes, and Carolyn Gold, terms ending December 22, 2005, Joe LaTorre, Neil Gendel, and Stephen Davis, terms ending December 22, 2006, and Tim Carrico, term ending December 22, 2004, to the Lead Hazard Reduction Citizens Advisory Committee; residency requirement waived.

Frances Doherty (residency requirement waived), succeeding herself, term expired, seat 3, must be a painting contractor, for the unexpired portion of a four-year term ending December 22, 2005.

Theodore Strong, succeeding himself, term expired, seat 4, must represent the building trades, for the unexpired portion of a four-year term ending December 22, 2005.

Joe LaTorre (residency requirement waived), succeeding himself, term expired, seat 6, must be a representative involved in housing and community development issues from the Mayor's office, for the unexpired portion of a term ending December 31, 2006.

Neil Gendel, succeeding himself, term expired, seat 8, must represent public interest organization, for the unexpired portion of a term ending December 31, 2006.

Tim Carrico, succeeding himself, term expired, seat 9, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2004.

James Forbes, succeeding David LaCounte, term expired, seat 10, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2005.

Carolyn Gold, succeeding herself, term expired, seat 12, must represent tenant organization, for the unexpired portion of a four-year term ending December 22, 2005.

Stephen Davis (residency requirement waived), succeeding himself, term expired, seat 14, must be lead testing expert, for the unexpired portion of a term ending December 31, 2006.

RECOMMENDED...

040085 [Appointment - Childhood Nutrition & Physical Activity Task Force]

Hearing to consider appointing two members to the Childhood Nutrition and Physical Activity Task Force.

2 seats being considered

Vacant seat, new position, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one year term ending December 12, 2004.

Vacant seat, new position, seat 14, must belong to a foundation or philanthropic organization with an interest in physical activity and healthy eating, for the unexpired portion of a one year term ending December 12, 2004.

1/16/04, RECEIVED AND ASSIGNED to Rules Committee.

1/28/04, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: None.

2/3/04, CLERICAL CORRECTION. Added seat 14.

2/11/04, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Colleen Montoya, Youth Commission.

Heard in Committee. Speaker: Scott Hoshida.

Appointment of Scott Hoshida, seat 14. Seat 3 divided and continued to the Call of the Chair. See File No. 040359.

DIVIDED.

Hearing to consider appointing one member to the Childhood Nutrition and Physical Activity Task Force.

1 seat being considered:

Vacant seat, new position, seat 14, must belong to a foundation or philanthropic organization with an interest in physical activity and healthy eating, for the unexpired portion of a one year term ending December 12, 2004.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Scott Hoshida, term ending December 12, 2004, to the Childhood Nutrition & Physical Activity Task Force; residency requirement waived.

Scott Hoshida (residency requirement waived), new position, seat 14, must belong to a foundation or philanthropic organization with an interest in physical activity and healthy eating, for the unexpired portion of a one year term ending December 12, 2004.

RECOMMENDED...**040308 [Appointment - San Francisco Health Authority]**

Hearing to consider appointing one member to the Health Authority.

1 seat being considered

Vacant seat, succeeding Supervisor Michael Yaki, resigned, seat 1, must be a member of, or designated by, the Board of Supervisors, who shall serve at the pleasure of the Board.

3/8/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jeffrey Stermán; Jean Fraiser.

Appointment of Jeffrey Stermán, seat 1.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Jeffrey Stermán, serving at the pleasure of the Board, to the San Francisco Health Authority.

Jeffrey Stermán, succeeding Supervisor Michael Yaki, resigned, seat 1, must be a member of, or designated by, the Board of Supervisors, who shall serve at the pleasure of the Board.

RECOMMENDED...

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

It was decided to Unanimous vote to convene in closed session.

040160 [Settlement of Lawsuit - Maria Trapalis-Baird]

Ordinance authorizing the settlement of lawsuit filed by Maria Trapalis-Baird against the City and County of San Francisco for \$285,000; the lawsuit was filed on April 22, 2002, in San Francisco Superior Court, Case No. 419634, entitled Trapalis-Baird v. City and County of San Francisco, et al. (City Attorney)

2/9/04, RECEIVED AND ASSIGNED to Rules Committee.

2/25/04, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Cheryl Adams, Deputy City Attorney.

Heard in Committee. Speakers: Cheryl Adams, Deputy City Attorney; Jared Blumenfeld, Department of the Environment; John Rollin, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez

040217 [Settlement of Lawsuit - Pacific Bell Telephone Company and SBC Communications, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Bell Telephone Company and SBC Communications, Inc., and a related law suit filed by Pacific Bell Telephone Company against San Francisco, for a payment to the Airport in the amount of \$4,057,204.26, and for a payment to the Department of Administrative Services of 20% of Pacific Bell's revenues from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and 2004, and on certain other terms; and approving the settlement agreement; the lawsuits were filed on December 19, 2002 and December 20, 2002, in San Francisco County Superior Court, Case Nos. 415-918 and 415-996; and respectively entitled City and County of San Francisco v. Pacific Bell Telephone Company and SBC Communications, Inc., and Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)

2/26/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Cheryl Adams, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez

040218 [Settlement of Lawsuit - Armstrong, et al., (Victor Humphrey)]

Ordinance authorizing settlement of the lawsuit filed by Victor Humphrey against the City and County of San Francisco for \$27,500.00; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)

3/1/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Cheryl Adams, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez

040220 [Settlement of Lawsuit - Francisco Rivero and Pacific Interment Co., et al.]

Ordinance authorizing settlement of the lawsuit filed by Francisco Rivero and Pacific Interment Co. against the City and County of San Francisco for \$1,700,000, which includes payment of a total of \$52,000 in punitive damages; the lawsuit was filed on September 9, 1993 in the United States District Court, Case No. C93-3383; entitled Francisco Rivero and Pacific Interment Co., et al., v. City and County of San Francisco, et al. (City Attorney)

3/1/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Cheryl Adams and Joanne Hooper, Deputy City Attorneys.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 2 - Hall, Gonzalez

ADJOURNMENT

The meeting adjourned at 11:37 a.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michaela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

[All Committees]
SF Public Library
Govt. Information Center, 5th Flr.
ATTN: Michael Sherrod-Flores

Wednesday, March 24, 2004

1:00 PM

Legislative Chambers

Special Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

MAR 19 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

040271 [Appointment - Urban Counties Caucus]

Hearing to consider appointing one member to the Urban Counties Caucus.

1 seat being considered

Vacant seat, succeeding Supervisor Leland Yee, term expired, seat 1, must be an elected representative from each County Board of Supervisors maintaining the membership of its supervisors in the Caucus. Each representative shall be selected at the beginning of the calendar year by the Board of Supervisors to serve a term of not less than two years to coincide with the sessions of the California Legislature, for the unexpired portion of a two-year term ending December 21, 2004.

3/3/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/1 applicant

Supervisor Chris Daly, seat 1

2. **040354 [Appointment - Golden Gate Bridge, Highway and Transportation District]**
Hearing to consider appointing one member to the Golden Gate Bridge, Highway and Transportation District.
- 1 seat being considered
Vacant seat, succeeding Supervisor Sophie Maxwell, resigned, seat 5, must be member of the Board of Supervisors. Subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2005.
- 3/16/04, RECEIVED AND ASSIGNED to Rules Committee.
1 seat/1 applicant
Supervisor Michela Alioto-Pier, seat 5
3. **031508 [Amending the Rules of the Board to provide the Office of Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies]**
Supervisor Daly
Motion amending Rule No. 3.12 to the Rules of Order of the Board of Supervisors to provide a process that will allow the Office of Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies.
- 8/26/03, RECEIVED AND ASSIGNED to Rules Committee.
1/14/04, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Gloria Young, Clerk of the Board.
4. **040341 [Amending Board Rules to allow the President to appoint 3-5 members to Board Committees]**
Supervisor Gonzalez
Motion amending Rules 5.1, 5.12, 5.26 and 5.38 of the Rules of Order of the Board of Supervisors to allow the President of the Board of Supervisors to appoint at least three, and no more than five, members to each Committee of the Board of Supervisors.
- 3/16/04, RECEIVED AND ASSIGNED to Rules Committee.
5. **040337 [Establishing Joint City and School District Select Committee]**
Supervisor Gonzalez
Motion establishing a Joint City and School District Select Committee.
- 3/16/04, RECEIVED AND ASSIGNED to Rules Committee.

SPECIAL ORDER - 2:00 P.M.

031876 [Regulation of Permit Consultants commonly known as Permit Expeditors]**Supervisors Daly, Gonzalez**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.150 to impose registration and disclosure requirements on permit consultants.

Supervisor Hall excused.

11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.

1/16/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for comment.

1/22/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for Comment

1/22/04, REFERRED TO DEPARTMENT. Referred to Paul Maltzer for Environmental Review.

2/4/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ken Bruce, Budget Analyst's office; Bob Planthold, Ted Lakey, Deputy City Attorney, Anita Mayo; Pat Buscovich; Jeremy Paul; Jane Bell; Tony Sanchez-Corea; Ken Cochrane; Gary Bell; Alfred Sanchez; Val Adams; John Peterson; Henry Kamilowicz, Phil Fernandez; Amy Lee, Assistant Director, Department of Building Inspection; Lawrence Cornfield, Chief Building Inspector.

2/4/04 Amendment of the whole bearing new title.

Continued to February 11, 2004 at 2:00 p.m.

2/4/04, CONTINUED.

2/5/04, REFERRED TO DEPARTMENT. Referred to Planning Department, Ethics Commission and Small Business Commission for comment.

2/6/04, RESPONSE RECEIVED. Paul Maltzer, the Environmental Review Officer, stated it does not require any environmental review under CEQA, as the registration and disclosure requirements proposed do not have any potential for physical effect on the environment. As such, the proposal is not a project under CEQA and therefore no environmental review is required.

2/11/04, CONTINUED. Heard in committee. Speakers: Ed Harrington, Controller, Louis Louvan, DTIS; Frank Chiu, Director, Department of Building Inspection; Ted Lakey, Deputy City Attorney; Ginny Vida, Ethics Commission; Bob Planthold, Ethics Commission; Pat Buscovich; Dipak Patel; Patricia Vaughey; Anita Mayo; Jeremy Paul; Tony Sanchez-Corea; Henry Kamilowicz; Amy Lee, Assistant Director, Deputy Building Inspection.

Supervisor Hall excused. Continued to March 3, 2004 at 9:30 a.m.

3/3/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Ed Harrington, Controller, Ted Lakey, Deputy City Attorney; Jeremy Paul; Anita Mayo; Amy Lee, Assistant Director, Department of Building Inspection; Ken Cochrane; Pam Harris; Debra Stein; Gary Bell.

3/3/04 Amendment of the whole bearing new title.

Continued to 2:00 p.m. on March 24, 2004.

3/3/04, CONTINUED.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

040274 [Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures before Assessment Appeals Board]**Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by adding Sections 2B.21 and 2B.22 to Chapter 2B to provide Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures for proceedings before the Assessment Appeals Boards.

3/9/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/8/2004.

040318 [Amending Domestic Partnership requirements]**Supervisor Ammiano**

Ordinance amending Chapter 62 of the Administrative Code by amending the statement of purpose in Section 62.1; amending Sections 62.2(d), 62.3(b) and 62.5(b) to remove a waiting period for certain domestic partnerships; amending Sections 62.3(a)(2) and 62.10(a) relating to Retirement System requirements; repealing Section 62.3(c) to eliminate a residency requirement; amending Section 62.6(a) to expand the rights and duties of domestic partners; adding Section 62.11 to clarify the Board of Supervisors' authority to amend domestic partnership legislation; adding Section 62.12 to add a severability provision; and adding Section 62.13 to ratify and approve domestic partnerships between certain non-residents.

3/16/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/15/2004.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

[All Committees]
SF Public Library
Govt. Information Center, 5th Fl
ATTN: Michael Sherrod-Flores

Wednesday, March 24, 2004

1:00 PM

Legislative Chambers

Special Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED

The meeting convened at 1:09 p.m.

DOCUMENTS DEPT.

MAR 29 2004

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR AGENDA

040271 [Appointment - Urban Counties Caucus]

Hearing to consider appointing one member to the Urban Counties Caucus.

1 seat being considered

Vacant seat, succeeding Supervisor Leland Yee, term expired, seat 1, must be an elected representative from each County Board of Supervisors maintaining the membership of its supervisors in the Caucus. Each representative shall be selected at the beginning of the calendar year by the Board of Supervisors to serve a term of not less than two years to coincide with the sessions of the California Legislature, for the unexpired portion of a two-year term ending December 31, 2004.

3/3/04, RECEIVED AND ASSIGNED to Rules Committee.

Speakers: None.

Appointment of Supervisor Daly, seat 1.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Supervisor Chris Daly, term ending December 31, 2004 to the Urban Counties Caucus.

Supervisor Chris Daly, succeeding Supervisor Leland Yee, term expired, seat 1, must be an elected representative from each County Board of Supervisors maintaining the membership of its supervisors in the Caucus. Each representative shall be selected at the beginning of the calendar year by the Board of Supervisors to serve a term of not less than two years to coincide with the sessions of the California Legislature, for the unexpired portion of a two-year term ending December 31, 2004.

To Board as a Committee Report, Tuesday, March 30, 2004.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040354 [Appointment - Golden Gate Bridge, Highway and Transportation District]

Hearing to consider appointing one member to the Golden Gate Bridge, Highway and Transportation District.

Vacant seat, succeeding Supervisor Sophie Maxwell, resigned, seat 5, must be member of the Board of Supervisors. Subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2005.

3/16/04, RECEIVED AND ASSIGNED to Rules Committee.

Speakers: None.

Appointment of Supervisor Michela Alioto-Pier, seat 5.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Supervisor Michela Alioto-Pier, term ending January 31, 2005 to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Supervisor Michela Alioto-Pier, succeeding Supervisor Sophie Maxwell, resigned, seat 5, must be member of the Board of Supervisors. Subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2005.
Supervisor Alioto-Pier excused.

To Board as a Committee Report, Tuesday, March 30, 2004.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Excused: 1 - Alioto-Pier

031508 [Amending the Rules of the Board to provide the Office of the Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies]

Supervisor Daly

Motion amending Rule No. 3.12 to the Rules of Order of the Board of Supervisors to provide a process that will allow the Office of the Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies.

8/26/03, RECEIVED AND ASSIGNED to Rules Committee.

1/14/04, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Gloria Young, Clerk of the Board.

Heard in Committee. Speakers: Gloria Young, Clerk of the Board; Ted Lakey, Deputy City Attorney; Bill Barnes, Legislative Aide to Supervisor Daly; Adam Van De Water, Office of the Legislative Analyst.

3/24/04 At page 1 line 22 after "The" add "Clerk of the Board"; after "Supervisors" add "after consultation with the President of the Board". At page 1 line 23 after "basis" delete ", with a provision not to exceed four Committees". At page 2 line 16 after "support" add "to the Board of Supervisors and"; after "Board" add "and report to each of the members of the Committees".

AMENDED.

To Board as a Committee Report, Tuesday, March 30, 2004.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

- 040341 [Amending Board Rules to allow the President to appoint 3-5 members to Board Committees]**
Supervisor Gonzalez
Motion amending Rules 5.1, 5.12, 5.26 and 5.38 of the Rules of Order of the Board of Supervisors to allow the President of the Board of Supervisors to appoint at least three, and no more than five, members to each Committee of the Board of Supervisors.
3/16/04, RECEIVED AND ASSIGNED to Rules Committee.
Heard in Committee. Speaker: Ted Lakey, Deputy City Attorney.
TABLED by the following vote:
Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

- 040337 [Establishing Joint City and School District Select Committee]**
Supervisor Gonzalez
Motion establishing a Joint City and School District Select Committee.
3/16/04, RECEIVED AND ASSIGNED to Rules Committee.
Speakers: None.
To Board as a Committee Report, Tuesday, March 30, 2004.
RECOMMENDED AS COMMITTEE REPORT by the following vote:
Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

SPECIAL ORDER - 2:00 P.M.

031876 [Regulation of Permit Consultants commonly known as Permit Expeditors]**Supervisors Daly, Gonzalez**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.150 to impose registration and disclosure requirements on permit consultants.

Supervisor Hall excused.

11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.

1/16/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for comment.

1/22/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for Comment

1/22/04, REFERRED TO DEPARTMENT. Referred to Paul Maltzer for Environmental Review.

2/4/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ken Bruce, Budget Analyst's office; Bob Planthold; Ted Lakey, Deputy City Attorney; Anita Mayo; Pat Buscovich; Jeremy Paul; Jane Bell; Tony Sanchez-Corea; Ken Cochrane; Gary Bell; Alfred Sanchez; Val Adams; John Peterson; Henry Karnilowicz; Phil Fernandez; Amy Lee, Assistant Director, Department of Building Inspection; Lawrence Cornfield, Chief Building Inspector.

2/4/04 Amendment of the whole bearing new title.

Continued to February 11, 2004 at 2:00 p.m.

2/4/04, CONTINUED.

2/5/04, REFERRED TO DEPARTMENT. Referred to Planning Department, Ethics Commission and Small Business Commission for comment.

2/6/04, RESPONSE RECEIVED. Paul Maltzer, the Environmental Review Officer, stated it does not require any environmental review under CEQA, as the registration and disclosure requirements proposed do not have any potential for physical effect on the environment. As such, the proposal is not a project under CEQA and therefore no environmental review is required.

2/11/04, CONTINUED. Heard in committee. Speakers: Ed Harrington, Controller; Louis Louvan, DTIS; Frank Chiu, Director, Department of Building Inspection; Ted Lakey, Deputy City Attorney; Ginny Vida, Ethics Commission; Bob Planthold, Ethics Commission; Pat Buscovich; Dipak Patel; Patricia Vaughney; Anita Mayo; Jeremy Paul; Tony Sanchez-Corea; Henry Karnilowicz; Amy Lee, Assistant Director, Deputy Building Inspection.

Supervisor Hall excused. Continued to March 3, 2004 at 9:30 a.m.

3/3/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Ed Harrington, Controller; Ted Lakey, Deputy City Attorney; Jeremy Paul; Anita Mayo; Amy Lee, Assistant Director, Department of Building Inspection; Ken Cochrane; Pam Harris; Debra Stein; Gary Bell.

3/3/04 Amendment of the whole bearing new title.

Continued to 2:00 p.m. on March 24, 2004.

3/3/04, CONTINUED.

Heard in Committee. Speakers: Supervisor Bevan Duffy; Ted Lakey, Deputy City Attorney; Frank Chiu, Department of Building Inspection; Mike Garcia, Ethics Commission; Anita Mayo; Randy Shaw; Ken Cochrane; Ken Cleaveland; Tony Sanchez-Corea; Henry Karnilowicz; John Schlesinger; Alan Martinez; Pat Buscovich; Jeremy Paul; Tim Woloshyn.

3/24/04 Amendment of the Whole bearing same title.

Continued to 4/21/04.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 4:19 p.m.

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

DOCUMENTS DEPT.

MAR 23 2004

SAN FRANCISCO
PUBLIC LIBRARY

March 18, 2004

TO: Rules Committee
FROM: Budget Analyst
SUBJECT: March 24, 2004 Special Rules Committee Meeting

Item 6 - File 03-1876

Note: This item was continued by the Rules Committee at its meeting of March 3, 2004.

Department: Ethics Commission

Item: Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.150 to impose registration and disclosure requirements on Permit Consultants.

Description: Under the proposed ordinance, a Permit Consultant, commonly known as a Permit Expediter, is defined as any person or entity that receives or is promised economic consideration equaling \$1,000 or more in a calendar year to assist a client in obtaining or opposing approval of a permit issued by the City and County of San Francisco through 1) providing information and advice regarding the permit application process, 2) preparing, submitting or changing a permit application, 3) paying permit application fees on behalf of the client, 4) communicating with City departments such as the Planning Department regarding the contents, procedure, or status of a permit

application, 5) conveying the permit application through the requisite stages of the permit issuance process, 6) requesting that a permit be denied for purposes of filing an appeal, and 7) representing or assisting a client in an appeal of a permit that has been denied by a City department.

Currently, the City does not have any requirements imposed on Permit Consultants to publicly disclose their identity or extent of efforts to obtain permits issued by the City on behalf of clients. The proposed ordinance would amend the Campaign and Governmental Conduct Code by adding a new Article V, section 5.100 to 5.150 which would:

- Require each Permit Consultant to (a) initially register, (b) reregister annually, and (c) file a termination statement with the Ethics Commission. The Permit Consultant would also be required to pay fees to the Ethics Commission of 1) an amount not to exceed \$300 at the time of the initial registration and an amount not to exceed \$300 annually at the time of each reregistration, and 2) \$50 annually for each client represented.
- Require the Permit Consultant to verify the accuracy and completeness of information provided to the Ethics Commission, retain related books, papers and documents for five years, and file a statement of termination with the Ethics Commission when a registered individual providing permit consulting services no longer provides such services.
- Require the Ethics Commission to amend current lobbyist forms to permit disclosure on those forms of information required under the proposed ordinance.
- Require all City departments, officers and employees to treat all permit applicants the same, and review, consider and process all applications and permit related materials in the order in which the materials are received, unless there is a written finding of a public policy basis for not doing so. The Ethics Commission is required to adopt a code of conduct for permit processing, which shall be distributed to related City departments and officers.

- Require the Ethics Commission to provide forms to Permit Consultants for the reporting of all information, issue registration numbers, provide copies of the proposed ordinance and related materials to Permit Consultants, gather registration and reregistration information and issue compiled reports to the Board of Supervisors and the Mayor annually, preserve records, provide advice, investigate complaints and enforce against violations, and adopt reasonable and necessary rules and regulations for the implementation of the proposed ordinance.
- Impose a fine of \$50 per day on any Permit Consultant for each day that the Permit Consultant fails to initially register and fails to reregister annually with the Ethics Commission after the filing deadline of the original registration statement or report required under the subject ordinance. The registration and reregistration statement or report would include such information as business name, name of employees formerly employed by the City, type of permits sought, and economic consideration promised or received by client.
- Impose civil action liabilities upon any Permit Consultant, up to \$1,000 per violation, for providing permit consulting services without registering or complying with the reporting requirements, as set forth in this proposed ordinance.
- Authorize the Ethics Commission to create, adopt regulations for, and require a Permit Consultant to file, an electronic copy of the original statement or report. The subject ordinance also imposes a fine of \$50 per day for late electronic filing.

According to Mr. Edward Olsen of the City Attorney's Office, the purpose the subject ordinance is to impose reasonable restrictions and disclosure requirements on Permit Consultants that will protect the public's confidence in the integrity of the permitting processes of City departments.

Fiscal Impact:

Attachment I, provided by Ms. Mabel Ng of the Ethics Commission, details the estimated administrative costs, not including electronic filing costs (see Comment No. 3), associated with implementing the proposed

ordinance. Such costs are estimated at \$37,445 in the first year, including initial start-up costs, and \$24,085 annually based on FY 2003-2004 salary and benefit levels. Ms. Ng reports that such costs will be included in the Department's future annual budgets. Attachment II, provided by Ms. Ng, is a detailed description of the related tasks supporting the cost estimate.

Comments:

1. According to Ms. Ng, the Ethics Commission estimates that there are currently approximately 20 Permit Consultants who would be affected by the proposed ordinance, and would be required to register/reregister, and report to the Ethics Commission prior to the January 1st deadline annually. Ms Ng estimates that each of the 20 Permit Consultants has an average of 10 clients. Based on an estimated 20 Permit Consultants, having an average of 10 clients each, the Ethics Commission estimates that up to \$16,000 annually could be generated from the proposed fees paid, based on a registration and reregistration fee of \$300, as shown in the table below.

		Annual Fees	Estimated Annual Revenue
Estimated Number of Permit Consultants	20	\$300	\$6,000
Estimated Number of Clients (10 per Consultant)	200	50	10,000
Total			\$16,000

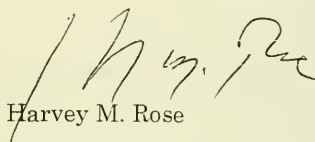
2. According to Ms. Ng, should the actual number of Permit Consultants and/or Clients of Permit Consultants be greater than the estimates shown in the above table, the Ethics Commission does not anticipate that the total estimated administrative cost of \$37,445 in the first year, and \$24,085 annually thereafter, will increase significantly.

3. Ms. Ng states that the estimated first year costs of \$37,445 to implement the proposed ordinance does not include the costs to enable the electronic filing of

statements and reports. According to Ms. Ng, enabling electronic filing would require the development of new software to capture specific information requested in the proposed ordinance. Ms. Ng reports that the cost to develop such software to enable electronic filing would range between \$50,000 to \$70,000 depending on the number of fields required in the database. According to Ms. Ng, the Ethics Commission currently has no plans to implement electronic filing.

Recommendation:

Approval of the proposed ordinance is a policy decision for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Maxwell
Supervisor Alioto-Pier
President Gonzalez
Clerk of the Board
Controller
Katie Petrucione
Ted Lakey

Attachment 1
Estimated Costs of Implementing the Permit Expediter Program
Based on 20 Registered Persons

Task	Work Hours
Develop and Adopt a Permit Processing Code of Conduct	80 hours (1 st year)
Development of Reporting Forms, Instruction Manual and Regulations	170 (1 st year; thereafter, 10 hours)
Advice-Giving	100 (1 st year; thereafter, 50 hours)
Notification/Mailing	20
Intake/Receipt	10
Facial Audit	25
Report: Production/Distribution	50 (1 st year; thereafter 40 hours)
Bookkeeping	40
Press Releases	10
Investigations	200
Totals	705 hours @ \$37.11 (hourly salary) = \$26,162.55 plus 20% fringes = \$31,395.06 1 st year 405 hours @ \$37.11 (hourly salary) = \$15,029.55 plus 20% fringes = \$18,035.46 subsequent years
Other Costs	\$6,050 (equipment, supplies, reproduction, mailing)
Grand Total	\$37,445.06 1 st year; \$24,085.46 subsequent years

S:\Permit Expeditors\budget analyst 3.16.04.doc



ETHICS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RAEL L.

CHAIRPERSON

HELE ANGLADE

CHAIRPERSON

MI GUSUKUMA

COMMISSIONER

JOE LYNN

COMMISSIONER

EN Q. MCCOY

COMMISSIONER

RGINIA E. VIDA

EXECUTIVE DIRECTOR

Date: March 16, 2004

To: Leanne Nhan
Office of the Budget Analyst

From: Mabel Ng, Deputy Executive Director

Re: Attachment II
Budget Analyst Questions for Item #03-1876 As Amended

Estimated Costs of Implementing the Permit Consultant Program Based on 20 Registered Persons

1. Development and Adoption of Permit Processing Code of Conduct: The amended legislation requires the Ethics Commission to adopt a code of conduct for permit consultants no later than 60 days after the effective date of the new law. Staff anticipates that it be required to convene an interested persons meeting regarding the provisions of the code, meet with departments that issue permits such as the Department of Building Inspection and Entertainment Commission, and hold at least one public hearing on the proposed code. Staff estimates that it will take approximately 80 hours to develop the code.
2. Development of Registration Forms and Materials: The legislation requires that the Ethics Commission develop forms for the reporting of all information required under the proposed ordinance. The Commission may also adopt regulations to clarify the new law. Staff estimates that it will take approximately 160 hours to develop the forms, instruction manual and other materials, including regulations, related to the permit consultant program. This work will be performed by the Deputy Executive Director, who is a class 1824. However, once the forms and materials are developed, staff anticipates that the annual costs to update the forms and materials will be considerably less, approximately 10 hours per year. These tasks could be performed by the Senior Administrative Analyst.

The amended version exempts from the proposed ordinance individuals and entities that register as lobbyists under Article II of the San Francisco Campaign and Governmental Conduct Code if such individuals and entities file all necessary forms and disclose on their lobbying forms all the information that is required to be disclosed by the proposed legislation. The amendment directs the Commission to amend the current lobbyist forms. Staff estimates that it may

take an additional ten hours to revise such forms and the lobbyist instruction manual.

3. **Advice-Giving:** This task requires giving oral and/or written advice. Routine questions can be handled with straightforward answers over the phone. All other questions must be submitted in writing. Responding to requests for written advice involves conducting legal research, conferring with counsel, drafting a response and referring it to the City Attorney and District Attorney for their concurrence or non-concurrence. This is very time consuming, and there are frequent requests for written advice when a new law is implemented. Written advice is provided by the Deputy Executive Director; the Senior Administrative Analyst may provide oral advice.

The amended version adds language that (1) requires officers and employees of the City to treat all permit applications the same; (2) provides that intentional preferential treatment of any permit applicant and/or the applicant's representatives by any City officer or employee may subject the officer or employee to disciplinary action for official misconduct; (3) requires City officers and employees to review, consider and process all applications, revisions, corrections and other permit-related material in the order in which that type of material is received unless there is a written finding of a public policy basis for not doing so; and (4) requires City departments that issue permits to adopt written guidelines to determine when there is a public policy basis for processing permit materials out of order. Staff estimates that these requirements will increase the hours of advice-giving, at least in the initial year, from 50 to 100 hours. Alternatively, the Commission may adopt regulations to clarify such terms as "intentional preferential treatment" and "written finding of a public policy basis," and to provide guidance to the adoption of written guidelines for when there is a public policy basis for processing permit material out of order.

3. **Notification/Mailing:** This task requires drafting and sending letters to permit consultants to inform them about registration requirements and filing deadlines. In addition, staff must notify and issue follow-up notices to those permit consultants who have failed to register or pay their annual re-registration fees and client fees.
4. **Intake/Receipt:** This task requires date-stamping the reports, creating folders for each permit consultant, and copying and filing the reports in the both the public and back-office folders.
5. **Facial Audit:** This task requires reviewing the forms to check that all appropriate documents have been filed, noting whether any fees are required and have been submitted, and whether the appropriate signature is included. This task also requires carefully reviewing each permit consultant's report to determine if it meets the standard for sufficient specificity, notifying permit consultants of deficient filings, and following up to ensure that deficient filings are amended to comply with filing requirements.
6. **Report: Production/Distribution:** This task requires creating a report format, and compiling large portions of each permit consultant's filing into a report format, which includes tables and charts for that year's filings. Filings for each year are reviewed, and

figures are checked against previous filings. This task also involves duplicating and distributing the report to the Board of Supervisors, the Mayor, the appointing authorities, and interested parties, and posting the report to the Ethics Commission's web site.

7. **Addition/Termination of Clients:** This task requires copying and filing client registration and authorization forms, and conducting a facial audit and data entry check for tracking, payments and accounting. It also includes creating a chart for posting the information on our web site, and posting the information.
8. **Bookkeeping:** This task requires copying and depositing checks for permit consultants and client registration and re-registration fees and late fines. It also requires that tracking of revenues and generation of revenue estimates for the City's annual budget process.
9. **Press Releases:** This task involves drafting and faxing a press release to the media, City officials, and interested parties each time an annual summary report is issued.
10. **Investigations:** This task requires Commission staff to conduct inquiries and investigations into possible violations of the law, pursuant to Charter section C3.699-13 and the regulations adopted thereunder. The Commission's investigator is class 1823.

As discussed above, the amended version adds language that (1) requires officers and employees of the City to treat all permit applications the same; (2) provides that intentional preferential treatment of any permit applicant and/or the applicant's representatives by any City officer or employee may subject the officer or employee to disciplinary action for official misconduct; and (3) requires City officers and employees to review, consider and process all applications, revisions, corrections and other permit-related material in the order in which that type of material is received unless there is a written finding of a public policy basis for not doing so. In addition, the amended version provides that absent a written reason for not doing so, any officer or employee who intentionally fails to review, consider and process all permit application materials in the order in which they are received are subject to disciplinary action. Staff estimates that these requirements will increase the number of complaints that may be filed with the Ethics Commission, with a resultant increase in the number of hours devoted to investigations from 150 to 200.

11. **Other Costs:** These costs include overhead, such as maintenance and rental of our photocopiers (estimated at approximately 5 percent of yearly cost of \$12,000, or \$600 per year); DTIS work order for LAN support (5 percent of \$35,000 per year, or approximately \$1,750 per year); rental of office space (5 percent of \$70,000 per year, or approximately \$3500 per year); and paper and supplies (approximately \$200 per year).

Please note that the estimates are based on the \$37.11 hourly salary of a Class 1823 Senior Administrative Analyst, Step 5, position, which is the salary for the Commission's investigator. A class 1823 will be able to perform most of the administrative tasks as well as work on program-related investigations. However, written advice is handled by the Deputy Executive Director, a class 1824 position with a salary that is higher than the 1823 position.

**Anticipated Revenues Based on Fees Provided in Proposed Legislation
Based on 20 Registered Consultants and 10 Clients per Consultant**

Consultant/Client	Number	Fee	Revenue Generated
Permit Consultants	20	\$300	\$6,000
Clients	10 per consultant	\$50	\$10,000
Total			\$16,000

S:\Permit Consultants\budget analyst 3.16.04.doc



City and County of San Francisco

[All Committees]

SF Public Library

Govt. Information Center, 5th Flr.

ATTN: Michael Sherrod-Flores

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, March 31, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

MAR 29 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

03-29-2004 10:00 AM

1. 040397 [Appointment - Sunshine Ordinance Task Force]
Hearing to consider appointing nine members to the Sunshine Ordinance Task Force.

9 seats being considered

Vacant seat, succeeding Nicole Dogwill, term expired, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an attorney, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Bruce Brugmann, term expired, seat 2, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a journalist, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Richard Knee, term expired, seat 3, must be a member of the press or electronic media with an interest in citizen access, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Heather Sterner, term expired, seat 5, must be appointed from names submitted by the League of Women Voters, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Doug Comstock, term expired, seat 6, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Sue Cauthen, term expired, seat 7, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Garrett Jenkins, term expired, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Edgar Parker, term expired, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Alexandra Nickliss, term expired, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2006.

3/23/04, RECEIVED AND ASSIGNED to Rules Committee.

9 seats/10 applicants

Nicole Dogwill, seat 1

Richard Knee, seat 2

Sue Cauthen, seats 3, 6, 7, 8, 9, 10

Heather Sterner, seat 5

Doug Comstock, seat 6

David Pilpel, seats 6-10

Garrett Jenkins, seat 8

Edgar Parker, Jr., seats 8, 9, 10

Alexandria Nickliss, seats 8, 9, 10

Mary Crispi, seat undeclared

2. 040275 [Establishing Task Force - Passenger Cruise Industry]
Supervisors Alioto-Pier, Peskin
Resolution establishing a civic task force to develop and market San Francisco to the Passenger Cruise industry.

3/9/04, RECEIVED AND ASSIGNED to Rules Committee.

3. **020585 [Establishing a Library Citizens Advisory Committee]**
 Supervisor Daly
 Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article 25, Section 5.250, to establish the Library Citizens Advisory Committee as an advisory committee to the Board of Supervisors.
- 4/8/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.
12/10/02, FILED PURSUANT TO RULE 5.37.
10/21/03, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated and be named as sponsor.
10/21/03, ASSIGNED to Rules Committee.
2/10/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.
2/12/04 - Supervisor McGoldrick withdrew his name as sponsor.
2/10/04, ASSIGNED to Rules Committee.
4. **040367 [Board Off-site Meetings]**
 Supervisor Ammiano
 Motion ordering the City and School District Select Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, May 3; Monday, July 12; Monday, September 13; and Monday, November 8, 2004 at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.
- 3/23/04, RECEIVED AND ASSIGNED to Rules Committee.

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

5. **040259 [Settlement of Claim - Weston Ngo]**
 Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Weston Ngo against the City and County of San Francisco in the amount of \$50,000.00. (City Attorney)
- 3/8/04, RECEIVED AND ASSIGNED to Rules Committee.
6. **040260 [Settlement of Claim - Suzanna Hernandez]**
 Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Suzanna Hernandez against the City and County of San Francisco in the amount of \$50,000.00. (City Attorney)
- 3/8/04, RECEIVED AND ASSIGNED to Rules Committee.

7. 040261 [Settlement of Lawsuit - Laura Bianchi]
Ordinance authorizing settlement of the lawsuit filed by Laura Bianchi against the City and County of San Francisco for \$70,000; the lawsuit was filed on August 14, 2003 in San Francisco Superior Court, Case No. 03-423459; entitled Laura Bianchi v. City and County of San Francisco, et al. (City Attorney)
3/8/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

*[Elect To Disclose]
Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.*

*[Elect Not to Disclose]
Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.*

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

040274 [Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures before Assessment Appeals Board]

Supervisor Daly

Ordinance amending the San Francisco Administrative Code by adding Sections 2B.21 and 2B.22 to Chapter 2B to provide Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures for proceedings before the Assessment Appeals Boards.

3/9/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/8/2004.

040318 [Amending Domestic Partnership requirements]

Supervisors Ammiano, Dufty

Ordinance amending Chapter 62 of the Administrative Code by amending the statement of purpose in Section 62.1; amending Sections 62.2(d), 62.3(b) and 62.5(b) to remove a waiting period for certain domestic partnerships; amending Sections 62.3(a)(2) and 62.10(a) relating to Retirement System requirements; repealing Section 62.3(c) to eliminate a residency requirement; amending Section 62.6(a) to expand the rights and duties of domestic partners; adding Section 62.11 to clarify the Board of Supervisors' authority to amend domestic partnership legislation; adding Section 62.12 to add a severability provision; and adding Section 62.13 to ratify and approve domestic partnerships between certain non-residents.

3/16/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/15/2004.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

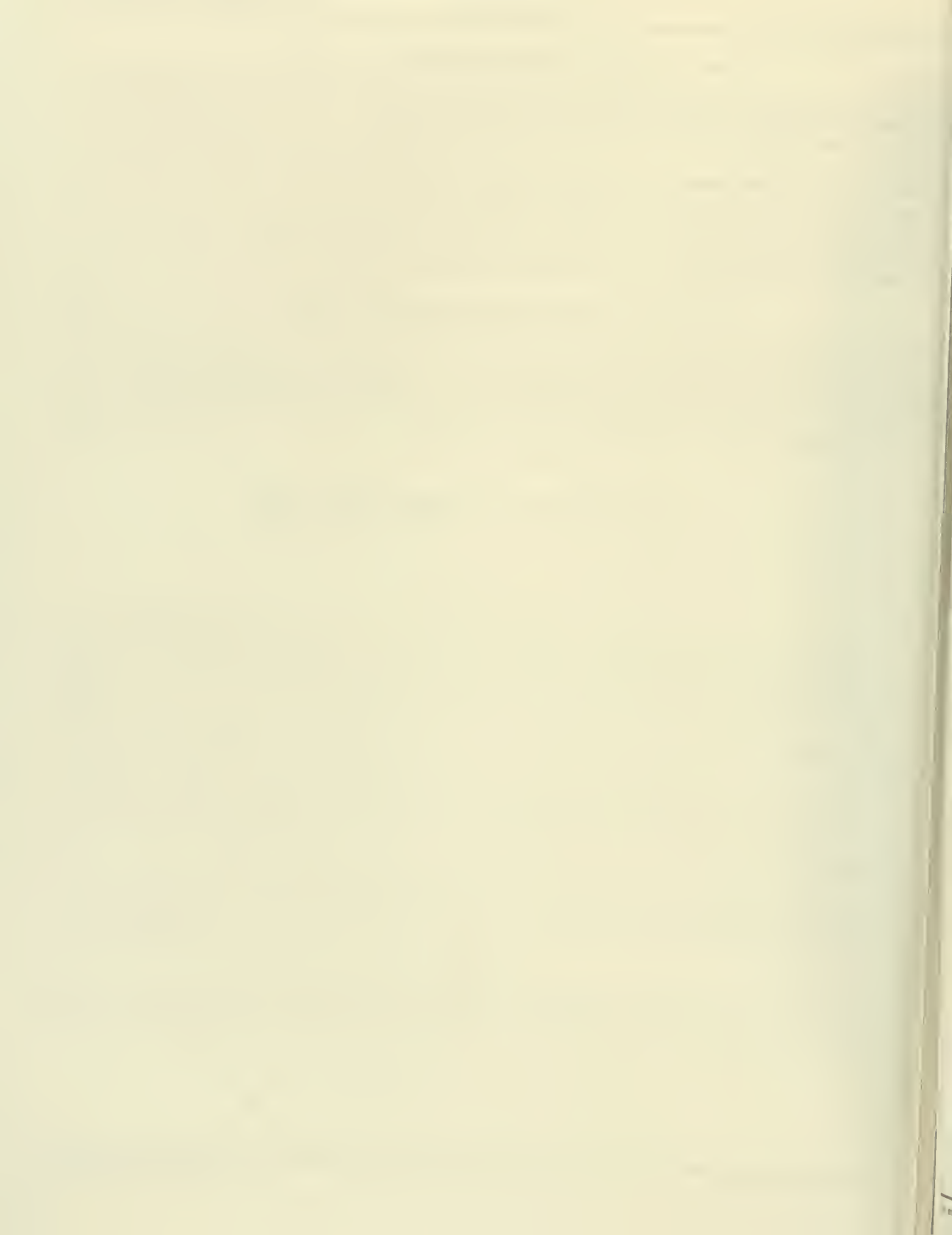
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics





City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, March 31, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED

DOCUMENTS DEPT

APR - 2 2004

SAN FRANCISCO
PUBLIC LIBRARY

The meeting convened at 10:02 a.m.

040397 [Appointment - Sunshine Ordinance Task Force]
Hearing to consider appointing nine members to the Sunshine Ordinance Task Force.

9 seats being considered

Vacant seat, succeeding Nicole Dogwill, term expired, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an attorney, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Bruce Brugmann, term expired, seat 2, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a journalist, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Richard Knee, term expired, seat 3, must be a member of the press or electronic media with an interest in citizen access, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Heather Sterner, term expired, seat 5, must be appointed from names submitted by the League of Women Voters, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Doug Comstock, term expired, seat 6, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Sue Cauthen, term expired, seat 7, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Garrett Jenkins, term expired, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Edgar Parker, term expired, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2006.

Vacant seat, succeeding Alexandria Nickliss, term expired, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2006.

3/23/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee: Speakers: Donna Hall, Sunshine Ordinance Task Force; Nicole Dogwill; Richard Knee; Sue Cauthen; Heather Stern; Doug Comstock; David Pilpel; Garret Jenkins; Edgar Parker; Alexandria Nickliss; Mark Solomon. Appointment of Nicole Dogwill, seat 1; Richard Knee, seat 2; Sue Cauthen, seat 3; Heather Stern, seat 5; Doug Comstock, seat 6; David Pilpel, seat 7; Garret Jenkins, seat 8; Edgar Parker, seat 9 and Alexandria Nickliss, seat 10, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.



Resolution appointing Nicole Dogwill, Richard Knee, Sue Cauthen, Heather Sterner, Doug Comstock, David Pilpel, Garrett Jenkins, Edgar Parker Jr, and Alexandria Nickliss terms ending April 27, 2006 to the Sunshine Ordinance Task Force.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040275 [Establishing Task Force - Passenger Cruise Industry]

Supervisors Alioto-Pier, Peskin

Resolution establishing a civic task force to develop and market San Francisco to the Passenger Cruise industry.

3/9/04, RECEIVED AND ASSIGNED to Rules Committee

Heard in Committee: Speakers: Mr. Daly, Director of Maritime; John Dahl; Ted Lakey, Deputy City Attorney; Teri Shore; Elle St. John; Patricia Breslin; John Rizzo; Guy de LaCrose; Jeffrey Leibovitz; Tony Sacco; Mark Soloman; David Pilpel; Peter Mclsen; Denise D'Anne.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

020585 [Establishing a Library Citizens Advisory Committee]

Supervisor Daly

Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article 25, Section 5.250, to establish the Library Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/8/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

12/10/02, FILED PURSUANT TO RULE 5.37.

10/21/03, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated and be named as sponsor.

10/21/03, ASSIGNED to Rules Committee.

2/10/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title

2/12/04 - Supervisor McGoldrick withdrew his name as sponsor.

2/10/04, ASSIGNED to Rules Committee.

Heard in Committee: Speakers: Susan Hildreth, City Librarian; Charles Higuera, Library Commissioner; Bill Barnes, aide to Supervisor Daly; Gloria Young, Clerk of the Board; Marcia Popper; Denise D'Anne; Frances Hsieh, aide to Supervisor Ma; Martin Gomez; Joe Rosenthal; Chet Roman; Chris Ortiz; Myron Seeman; James Lew; Dan Weaver; David Weaver; Tony Sacco; Joan Jackson; Female Speaker; James Chafee; Sue Cauthen; Supervisor Chris Daly; Peter Warfield; Laurie Fontanello.

Continued to meeting of April 14, 2004.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040367 [Board Off-site Meetings]

Supervisor Ammiano

Motion ordering the City and School District Select Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, May 3; Monday, July 12; Monday, September 13; and Monday, November 8, 2004 at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.

3/23/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee: Speakers: None.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040259 [Settlement of Claim - Weston Ngo]

Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Weston Ngo against the City and County of San Francisco in the amount of \$50,000.00. (City Attorney)

3/8/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee: Speakers: Cheryl Adams, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040260 [Settlement of Claim - Suzanna Hernandez]

Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Suzanna Hernandez against the City and County of San Francisco in the amount of \$50,000.00. (City Attorney)

3/8/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee: Speakers: Cheryl Adams, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040261 [Settlement of Lawsuit - Laura Bianchi]

Ordinance authorizing settlement of the lawsuit filed by Laura Bianchi against the City and County of San Francisco for \$70,000; the lawsuit was filed on August 14, 2003 in San Francisco Superior Court, Case No. 03-423459; entitled Laura Bianchi v. City and County of San Francisco, et al. (City Attorney)

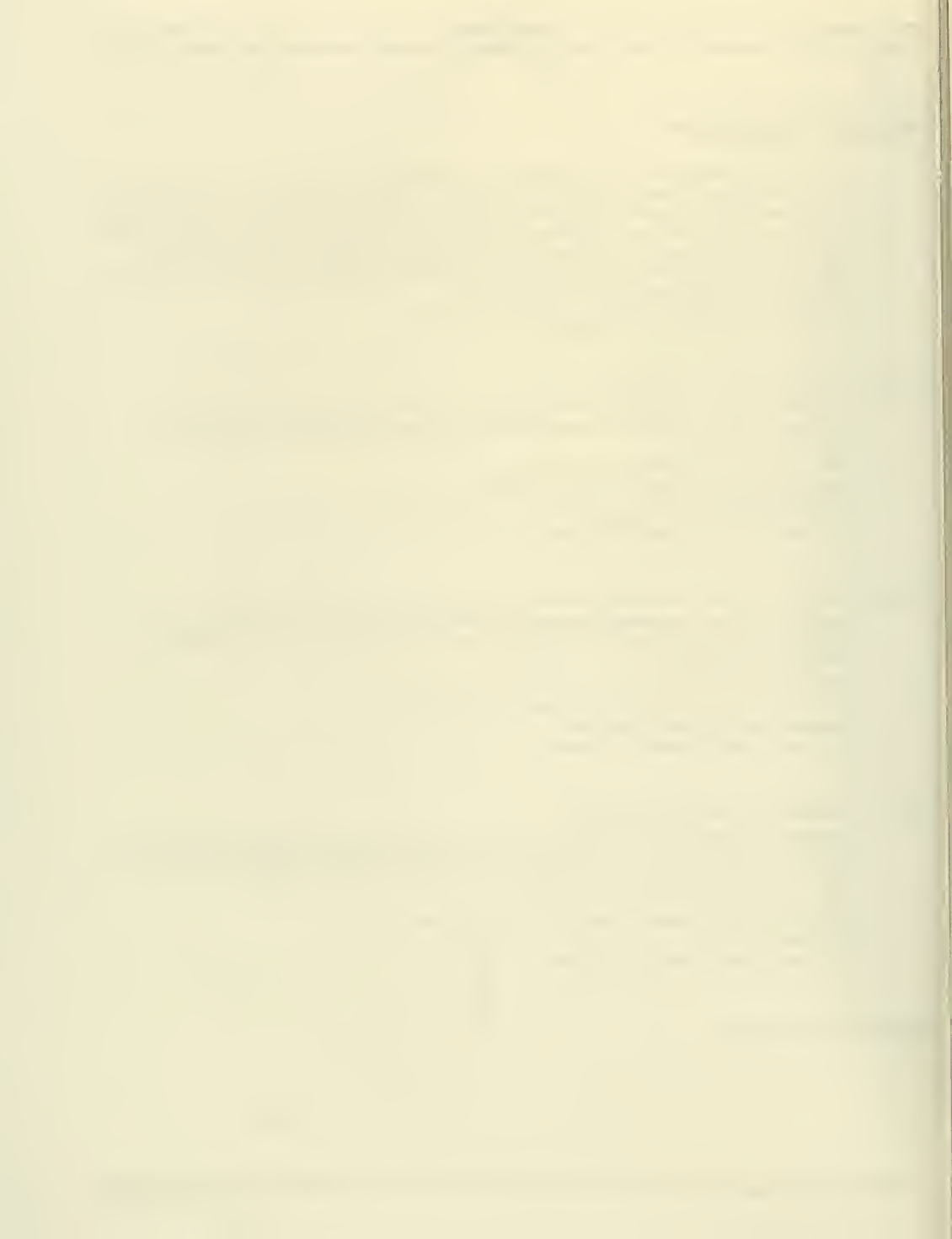
3/8/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee: Speakers: Cheryl Adams, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

Report on Closed Session



Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

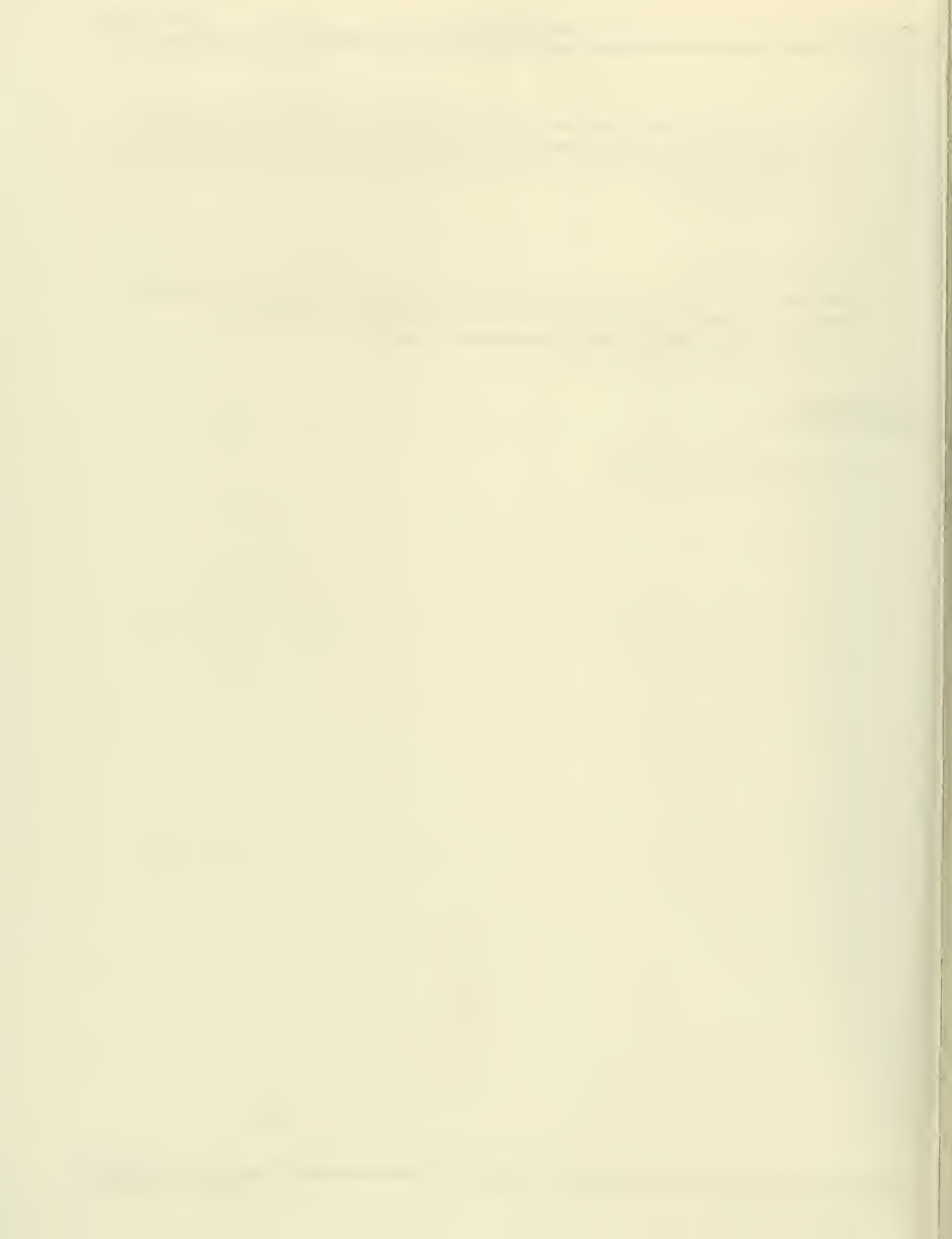
Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 1:30 p.m.





City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Tom Ammiano, Matt Gonzalez

Clerk: Linda Laws

Wednesday, April 14, 2004

10:00 AM

Legislative Chambers

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

APR - 9 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

1. 020585 [Establishing a Library Citizens Advisory Committee]

Supervisor Daly

Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article 25, Section 5.250, to establish the Library Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/8/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

12/10/02, FILED PURSUANT TO RULE 5.37.

10/21/03, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated and be named as sponsor.

10/21/03, ASSIGNED to Rules Committee.

2/10/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

2/12/04 - Supervisor McGoldrick withdrew his name as sponsor.

2/10/04, ASSIGNED to Rules Committee.

3/31/04, CONTINUED Heard in Committee: Speakers: Susan Hildreth, City Librarian; Charles Higuera, Library Commissioner; Bill Barnes, aide to Supervisor Daly; Gloria Young, Clerk of the Board; Marcia Popper; Denise D'Anne; Frances Hsieh, aide to Supervisor Ma; Martin Gomez; Joe Rosenthal; Chet Roman; Chris Ortiz; Myron Seeman; James Lew; Dan Weaver; David Weaver; Tony Sacco; Joan Jackson; Female Speaker; James Chafee; Sue Cauthen; Supervisor Chris Daly; Peter Warfield; Laurie Fontanello.

Continued to meeting of April 14, 2004.

2. 040274 **[Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures before Assessment Appeals Board]**
Supervisor Daly
Ordinance amending the San Francisco Administrative Code by adding Sections 2B.21 and 2B.22 to Chapter 2B to provide Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures for proceedings before the Assessment Appeals Boards.
3/9/04. ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/8/2004.
3. 040225 **[Appointment to Police Commission - Dr. Joe Marshall]**
Mayor
Motion confirming the Mayor's nomination of, and appointing, Dr. Joe Marshall to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.
3/2/04. RECEIVED AND ASSIGNED to Rules Committee.
4. 040223 **[Appointment to Police Commission - Douglas Chan]**
Mayor
Motion confirming the Mayor's nomination of, and appointing, Douglas Chan to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.
3/2/04. RECEIVED AND ASSIGNED to Rules Committee.
5. 040224 **[Appointment to Police Commission - Joseph Veronese]**
Mayor
Motion confirming the Mayor's nomination of, and appointing, Mr. Joseph Veronese to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.
3/2/04. RECEIVED AND ASSIGNED to Rules Committee.

6. 031919 [Appointment - Police Commission]

Hearing to consider appointing three members to the Police Commission. (Rules Committee)

3 seats being considered

Vacant seat, new appointment, seat 1, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Vacant seat, new appointment, seat 2, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Vacant seat, new appointment, seat 3, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

11/20/03, RECEIVED AND ASSIGNED to Rules Committee.

3 seats/24 applicants

Robert Chan, Elizabeth Saviano, Theresa Sparks, L. Julius M. Turman, seats 1, 2, 3

Kim-Shree Manfas, Jorge Garcia, seat 3

Richard Carpeneti, Brian Choy, Clement DeAmicis, Roger Gordon, Morgan Gorrono, Eli Horn,

Victor Hwang, Joseph Julian, Peter Keane, Christopher Morales, Gayle Orr-Smith, David Parker,

Ulysses Powell, Lateefah Simon, John Trasvina, David Villa-Lobos, Elmo Wedderburn, Bud Wilson, seat undeclared.

ADJOURNMENT**IMPORTANT INFORMATION**

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE**(Not to be considered at this meeting)**

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

There are no items now pending under the 30-day rule.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

**RULES COMMITTEE
S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689**

IMPORTANT HEARING NOTICE!!!



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Tom Ammiano, Matt Gonzalez

[All Committees]

SF Public Library

Govt. Information Center, 5th Flr.

ATTN: Michael Sherrod-Flores

Clerk: Linda Laws

Wednesday, April 14, 2004

10:00 AM

Legislative Chambers

Regular Meeting

Members Present: Sophie Maxwell, Tom Ammiano, Matt Gonzalez.

MEETING CONVENED

The meeting convened at 10:05 a.m. President Gonzalez appointed Supervisor Ammiano to serve on the Rules Committee for today's meeting only.

DOCUMENTS DEPT.

REGULAR AGENDA

APR 21 2004

SAN FRANCISCO
PUBLIC LIBRARY

020585 [Establishing a Library Citizens Advisory Committee]

Supervisor Daly

Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article 25, Section 5.250, to establish the Library Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/8/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

12/10/02, FILED PURSUANT TO RULE 5.37.

10/21/03, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated and be named as sponsor.

10/21/03, ASSIGNED to Rules Committee.

2/10/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

2/12/04 - Supervisor McGoldrick withdrew his name as sponsor.

2/10/04, ASSIGNED to Rules Committee

3/31/04, CONTINUED. Heard in Committee: Speakers: Susan Hildreth, City Librarian; Charles Higuera, Library Commissioner, Bill Barnes, aide to Supervisor Daly; Gloria Young, Clerk of the Board; Marcia Popper, Denise D'Anne; Frances Hsieh, aide to Supervisor Ma; Martin Gomez; Joe Rosenthal; Chet Roman; Chris Ortiz; Myron Seeman; James Lew; Dan Weaver; David Weaver; Tony Sacco; Joan Jackson; Female Speaker; James Chaffee; Sue Cauthen; Supervisor Chris Daly; Peter Warfield; Laurie Fontanello.

Continued to meeting of April 14, 2004.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Heard in Committee. Speakers: Bill Barnes, aide to Supervisor Daly; Jennifer Matz, aide to Supervisor Alioto-Pier; Susan Hildreth, City Librarian; James Chaffee; Peter Warfield; Marc Solomon; Male Speaker; Deborah Doyle; Martin Gomez; Frederick Elling; Jeffrey Kwong; Male Speaker; Christine Ortiz; Sue Cauthen.

Continued 4/28/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Ammiano, Gonzalez

040274 [Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures before Assessment Appeals Board]

Supervisors Daly, Maxwell

Ordinance amending the San Francisco Administrative Code by adding Sections 2B.21 and 2B.22 to Chapter 2B to provide Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures for proceedings before the Assessment Appeals Boards.

3/9/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/8/2004.

Heard in Committee. Speaker: Bill Barnes, aide to Supervisor Daly.

Supervisor Maxwell requested to be added as a co-sponsor.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Ammiano, Gonzalez

040225 [Appointment to Police Commission - Dr. Joe Marshall]

Mayor

Motion confirming the Mayor's nomination of, and appointing, Dr. Joe Marshall to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.

4/14/04 Supervisor Ammiano dissented in Committee.

3/2/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Dr. Joe Marshall; Ruben Goodman; Julie Soo; Michael Cardoza; Doug Comstock; Anne Kronenberg; Marc Solomon; Arthur Jackson.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Noes: 1 - Ammiano

040223 [Appointment to Police Commission - Douglas Chan]

Mayor

Motion confirming the Mayor's nomination of, and appointing, Douglas Chan to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.

4/14/04 Supervisor Ammiano dissented in Committee.

3/2/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Douglas Chan; Ruben Goodman; Julie Soo; Michael Cardoza; Doug Comstock; Anne Kronenberg; Marc Solomon; Arthur Jackson.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Noes: 1 - Ammiano

040224 [Appointment to Police Commission - Joseph Veronese]**Mayor**

Motion confirming the Mayor's nomination of, and appointing, Joseph Veronese to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.

4/14/04 Supervisor Ammiano dissented in Committee.

3/2/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Joseph Veronese; Ruben Goodman; Julie Soo; Michael Cardoza; Doug Comstock; Anne Kronenberg; Marc Solomon; Arthur Jackson.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Noes: 1 - Ammiano

031919 [Appointment - Police Commission]

Hearing to consider appointing three members to the Police Commission. (Rules Committee)

3 seats being considered

Vacant seat, new appointment, seat 1, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Vacant seat, new appointment, seat 2, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Vacant seat, new appointment, seat 3, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

11/20/03, RECEIVED AND ASSIGNED to Rules Committee.

PREPARED IN COMMITTEE AS A MOTION.

Motion confirming the Rules Committee's nominations of, and appointing, Theresa Sparks, Peter Keane and Gayle Orr-Smith to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with terms ending to be determined by lot. (Rules Committee)

4/14/04 Supervisor Ammiano dissented in Committee on the recommendation to appoint Peter Keane and Gayle Orr-Smith.

Theresa Sparks, seat 1, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Peter Keane, seat 2, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Gayle Orr-Smith, seat 3, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Heard in Committee. Speakers: Christopher Morales; Robert Chan; Theresa Sparks; L. Julian M. Turman; Kim-Shree Maufas; Richard Carpeneti; Brian Choy; Clement DeAmicis; Morgan Gorrone; Eli Horn; Victory Hwang; Joseph Julian; Peter Keane; David Parker; Gayle Orr-Smith; Ulysses Powell; John Trasvina; David Villa-Lobos; Bud Wilson; Michael Serujo; David Fishell; Ruben Goodman; Bou Yan Cheng; Tin Chow; Chris Garza; Jane Kim; Marc Solomon; Vanessa Moses; Female Speaker; Female Speaker; Female Speaker; Joe Boss; Jeff Adachi, Public Defender; Doug Comstock; Male Speaker. Elizabeth Saviano, Jorge Garcia, Roger Gordon, Lateefah Simon, Elmo Wedderburn, withdrew applications. Appointment of Theresa Sparks, seat 1.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Maxwell, Ammiano, Gonzalez

Appointments of Peter Keane, seat 2 and Gayle Orr-Smith, seat 3.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Noes: 1 - Ammiano

ADJOURNMENT

The meeting adjourned at 3:58 p.m.

BOARD of SUPERVISORS



[All Committees]
SF Public Library
Govt. Information Center, 5th Flr.
Dr. Carlton B.ATTN: Michael Sherrod-Flores
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

DOCUMENTS DEPT.

NOTICE OF PUBLIC HEARING

APR - 6 2004

RULES COMMITTEE

SAN FRANCISCO
PUBLIC LIBRARY

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN to the general public that the Rules Committee will hold a public hearing on **Wednesday, April 21, 2004 at 10:00 a.m.**, in Room 263 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the following:

File: 031876 Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, Sections 5.100 to 5.150 to impose registration and disclosure requirements on permit consultants.

This legislation authorizes a new fee not to exceed \$300.00, which the permit expediter shall pay annually to the Ethics Commission at initial registration and each year for re-registration. At the time of registration and re-registration, each permit expediter shall pay a fee of \$100.00 for each client. In addition, at the time of filing a statement of termination, each permit consultant shall pay a fee of \$100.00 for each client for whom the permit consultant has not already paid a fee at the time of registration and re-registration.

Data in support of the proposed fee is available in the above-mentioned file of the Clerk of the Board of Supervisors ten days prior to the hearing.

For more information regarding the above, telephone (415) 554-5184 or write to Clerk's Office, Board of Supervisors, Room 244, City Hall, San Francisco, CA 94102.

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Gloria L. Young, Clerk of the Board

Date posted: April 2, 2004



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, April 21, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk

DOCUMENTS DEPT

APR 16 2004

SAN FRANCISCO
PUBLIC LIBRARY

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

1. 040222 [Appointment to Police Commission - Louise Renne]
Mayor
Motion confirming the Mayor's nomination of, and appointing, Louise Renne to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.

3/2/04, RECEIVED AND ASSIGNED to Rules Committee.
2. 040403 [Confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission]
Mayor
Resolution confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission.

3/30/04, RECEIVED AND ASSIGNED to Rules Committee.

3. **040273 [Instant Runoff Voting]**
Supervisor Gonzalez
 Resolution invoking section 19211 of the California Elections code to experimentally adopt the use of modified voting equipment, and urging the Department of Elections and Elections Commission to begin all preparations for using instant runoff voting this November 2004 and to immediately commence public education and outreach.
 3/9/04, RECEIVED AND ASSIGNED to Rules Committee.
4. **031876 [Regulation of Permit Consultants commonly known as Permit Expeditors]**
Supervisors Daly, Gonzalez
 Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.150 to impose registration and disclosure requirements on permit consultants.
 11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.
 1/16/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for comment.
 1/22/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for Comment
 1/22/04, REFERRED TO DEPARTMENT. Referred to Paul Maltzer for Environmental Review.
 2/4/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ken Bruce, Budget Analyst's office; Bob Planthold; Ted Lakey, Deputy City Attorney; Anita Mayo; Pat Buscovich; Jeremy Paul; Jane Bell; Tony Sanchez-Corea; Ken Cochrane; Gary Bell; Alfred Sanchez; Val Adams; John Peterson; Henry Kamilowicz; Phil Fernandez; Amy Lee, Assistant Director, Department of Building Inspection; Lawrence Cornfield, Chief Building Inspector.
 2/4/04 Amendment of the whole bearing new title.
 Continued to February 11, 2004 at 2:00 p.m.
 2/4/04, CONTINUED.
 2/5/04, REFERRED TO DEPARTMENT. Referred to Planning Department, Ethics Commission and Small Business Commission for comment.
 2/6/04, RESPONSE RECEIVED. Paul Maltzer, the Environmental Review Officer, stated it does not require any environmental review under CEQA, as the registration and disclosure requirements proposed do not have any potential for physical effect on the environment. As such, the proposal is not a project under CEQA and therefore no environmental review is required.
 2/11/04, CONTINUED. Heard in committee. Speakers: Ed Harrington, Controller; Louis Louvan, DTIS; Frank Chiu, Director, Department of Building Inspection; Ted Lakey, Deputy City Attorney; Ginny Vida, Ethics Commission; Bob Planthold, Ethics Commission; Pat Buscovich; Dipak Patel; Patricia Vaughey; Anita Mayo; Jeremy Paul; Tony Sanchez-Corea; Henry Kamilowicz; Amy Lee, Assistant Director, Deputy Building Inspection.
 Supervisor Hall excused. Continued to March 3, 2004 at 9:30 a.m.
 3/3/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Ed Harrington, Controller; Ted Lakey, Deputy City Attorney; Jeremy Paul; Anita Mayo; Amy Lee, Assistant Director, Department of Building Inspection; Ken Cochrane; Pam Harris; Debra Stein; Gary Bell.
 3/3/04 Amendment of the whole bearing new title.
 Continued to 2:00 p.m. on March 24, 2004.
 3/3/04, CONTINUED.
 3/24/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Bevan Duffy; Ted Lakey, Deputy City Attorney; Frank Chiu, Department of Building Inspection; Mike Garcia, Ethics Commission; Anita Mayo; Randy Shaw; Ken Cochrane; Ken Cleveland; Tony Sanchez-Corea; Henry Kamilowicz; John Schlesinger; Alan Martinez; Pat Buscovich; Jeremy Paul; Tim Woloshyn.
 3/24/04 Amendment of the Whole bearing same title.
 Continued to 4/21/04.
 3/24/04, CONTINUED AS AMENDED.

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

5. 040299 **[Settlement of Lawsuit - Laurie, Adam, Jeremy and Caleb Peretz]**
Ordinance authorizing settlement of the lawsuit filed by Laurie, Adam, Jeremy and Caleb Peretz against the City and County of San Francisco for \$82,500.00; the lawsuit was filed on December 24, 2002 in San Francisco Superior Court, Case No. 416086; entitled Peretz, et al., v. City and County of San Francisco, et al. (City Attorney)

3/22/04, RECEIVED AND ASSIGNED to Rules Committee.

6. 040300 **[Settlement of Lawsuit - Anthony Bell]**
Ordinance authorizing settlement of the lawsuit filed by Anthony Bell against the City and County of San Francisco for \$75,000; the lawsuit was filed on December 23, 2002 in San Francisco Superior Court, Case No. 416-036; entitled Anthony Bell, et al., v. City and County of San Francisco, et al. (City Attorney)

3/22/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

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LEGISLATION UNDER THE 30-DAY RULE**(Not to be considered at this meeting)**

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

Meeting Procedures

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City and County of San Francisco

Meeting Minutes

Rules Committee

[All Committees]
SF Public Library
Govt. Information Center, 5th Flr.
ATTN: Michael Sherrod-Flores

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, April 21, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED

DOCUMENTS DEPT.

APR 29 2004

The meeting convened at 10:06 a.m.

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR AGENDA

40222 [Appointment to Police Commission - Louise Renne]

Mayor

Motion confirming the Mayor's nomination of, and appointing, Louise Renne to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.

3/2/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Louise Renne; Pat Murphy; Marc Salomon; Jim Lazarus; Malecka Parker.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

40403 [Confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission]

Mayor

Resolution confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission.

3/30/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ann Blumlein Lazarus; Bruce Fisher; Paul Wormer.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040273 [Instant Runoff Voting]**Supervisor Gonzalez**

Resolution invoking section 19211 of the California Elections code to experimentally adopt the use of modified voting equipment, and urging the Department of Elections and Elections Commission to begin all preparations for using instant runoff voting this November 2004 and to immediately commence public education and outreach.

3/9/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Steven Hill; John Arntz, Elections Department; Alex Rosenthal, Elections Commission; Ted Lakey, Deputy City Attorney; Susan Mizner, Mayor's Office on Disability; George Clark; Male Speaker; Female Speaker; Grant Wilson.

Continued to 5/19/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

31876 [Regulation of Permit Consultants commonly known as Permit Expeditors]**Supervisors Daly, Gonzalez**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.150 to impose registration and disclosure requirements on permit consultants.

11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.

1/16/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for comment.

1/22/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for Comment

1/22/04, REFERRED TO DEPARTMENT. Referred to Paul Maltzer for Environmental Review.

2/4/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ken Bruce, Budget Analyst's office; Bob Planthold; Ted Lakey, Deputy City Attorney; Anita Mayo; Pat Buscovich; Jeremy Paul; Jane Bell; Tony Sanchez-Corea; Ken Cochran; Gary Bell; Alfred Sanchez; Val Adams; John Peterson; Henry Karnilowicz; Phil Fernandez; Amy Lee, Assistant Director, Department of Building Inspection; Lawrence Cornfield, Chief Building Inspector.

2/4/04 Amendment of the whole bearing new title.

Continued to February 11, 2004 at 2:00 p.m.

2/4/04, CONTINUED.

2/5/04, REFERRED TO DEPARTMENT. Referred to Planning Department, Ethics Commission and Small Business Commission for comment.

2/6/04, RESPONSE RECEIVED. Paul Maltzer, the Environmental Review Officer, stated it does not require any environmental review under CEQA, as the registration and disclosure requirements proposed do not have any potential for physical effect on the environment. As such, the proposal is not a project under CEQA and therefore no environmental review is required.

2/11/04, CONTINUED. Heard in committee. Speakers: Ed Harrington, Controller; Louis Louvan, DTIS; Frank Chiu, Director, Department of Building Inspection; Ted Lakey, Deputy City Attorney; Ginny Vida, Ethics Commission; Bob Planthold, Ethics Commission; Pat Buscovich; Dipak Patel; Patricia Vaughey; Anita Mayo; Jeremy Paul; Tony Sanchez-Corea; Henry Karnilowicz; Amy Lee, Assistant Director, Deputy Building Inspection.

Supervisor Hall excused. Continued to March 3, 2004 at 9:30 a.m.

3/3/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Ed Harrington, Controller; Ted Lakey, Deputy City Attorney; Jeremy Paul; Anita Mayo; Amy Lee, Assistant Director, Department of Building Inspection; Ken Cochran; Pam Harris; Debra Stein; Gary Bell.

3/3/04 Amendment of the whole bearing new title.

Continued to 2:00 p.m. on March 24, 2004.

3/3/04, CONTINUED.

3/24/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Bevan Duffy; Ted Lakey, Deputy City Attorney; Frank Chiu, Department of Building Inspection; Mike Garcia, Ethics Commission; Anita Mayo; Randy Shaw; Ken Cochran; Ken Cleaveland; Tony Sanchez-Corea; Henry Karnilowicz; John Schlesinger; Alan Martinez; Pat Buscovich; Jeremy Paul; Tim Woloshyn.

3/24/04 Amendment of the Whole bearing same title.

Continued to 4/21/04.

3/24/04, CONTINUED AS AMENDED.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Monique Zmuda, Controller's Office; Anita Mayo; John Schlesinger; Bruce Bonnecker; Mike Garcia, Ethics Commission; Henry Karnilowicz, Sue Hestor; Tim Woloshyn; Jeremy Paul.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

CONTINUED TO CALL OF THE CHAIR AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040299 [Settlement of Lawsuit - Laurie, Adam, Jeremy and Caleb Peretz]

Ordinance authorizing settlement of the lawsuit filed by Laurie, Adam, Jeremy and Caleb Peretz against the City and County of San Francisco for \$82,500.00; the lawsuit was filed on December 24, 2002 in San Francisco Superior Court, Case No. 416086; entitled Peretz, et al., v. City and County of San Francisco, et al. (City Attorney)

3/22/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040300 [Settlement of Lawsuit - Anthony Bell]

Ordinance authorizing settlement of the lawsuit filed by Anthony Bell against the City and County of San Francisco for \$75,000; the lawsuit was filed on December 23, 2002 in San Francisco Superior Court, Case No. 416-036; entitled Anthony Bell, et al., v. City and County of San Francisco, et al. (City Attorney)

3/22/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 2:36 p.m.



City and County of San Francisco

[All Committees]

Meeting Agenda

Rules Committee

SF Public Library
Govt. Information Center, 5th Flr.
ATTN: Michael Sherrod-Flores

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, April 28, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

APR 26 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

4-26-04 10:50 LRP

1. **040268** [Appointment - Treasure Island Development Authority Citizens Advisory Committee]
Resolution appointing Elizabeth Strahlstrom, term ending January 1, 2005, to the Treasure Island Development Authority Citizens Advisory Board.

Elizabeth Strahlstrom, succeeding Arnold Levine, resigned, seat 11, must possess any of the following qualifications: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending January 1, 2005.

2/26/04, RECEIVED AND ASSIGNED to Rules Committee.

3/17/04, PREPARED IN COMMITTEE AS A RESOLUTION. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Chrysanthé Gussis; Garrett Jenkins; Alex Lantsberg; Roy Schneiderman; Elizabeth Strahlstrom.

Appointment of Elizabeth Strahlstrom, seat 11.

3/17/04, RECOMMENDED...

3/23/04, RE-REFERRED to Rules Committee.

1 seat/5 applicants

Elizabeth Strahlstrom, Stuart Brady, Alex Lantsberg, Roy Schneiderman, Garrett Jenkins, seat 11

2. **020585** [Establishing a Library Citizens Advisory Committee]
Supervisor Daly
Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article 25, Section 5.250, to establish the Library Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/8/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

12/10/02, FILED PURSUANT TO RULE 5.37.

10/21/03, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated and be named as sponsor.

10/21/03, ASSIGNED to Rules Committee.

2/10/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

2/12/04 - Supervisor McGoldrick withdrew his name as sponsor.

2/10/04, ASSIGNED to Rules Committee.

3/31/04, CONTINUED. Heard in Committee. Speakers: Susan Hildreth, City Librarian; Charles Higuera, Library Commissioner; Bill Barnes, aide to Supervisor Daly; Gloria Young, Clerk of the Board; Marcia Popper; Denise D'Anne; Frances Hsieh, aide to Supervisor Ma; Martin Gomez; Joe Rosenthal; Chet Roman; Chris Ortiz; Myron Seeman; James Lew; Dan Weaver; David Weaver; Tony Sacco; Joan Jackson; Female Speaker; James Chaffee; Sue Cauthen; Supervisor Chris Daly; Peter Warfield; Laurie Fontanello.

Continued to meeting of April 14, 2004.

4/14/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/14/04, CONTINUED. Heard in Committee. Speakers: Bill Barnes, aide to Supervisor Daly; Jennifer Matz, aide to Supervisor Alioto-Pier; Susan Hildreth, City Librarian; James Chaffee; Peter Warfield; Marc Solomon; Male Speaker; Deborah Doyle; Martin Gomez; Frederick Elling; Jeffrey Kwong; Male Speaker; Christine Ortiz; Sue Cauthen.

Continued 4/28/04.

4/19/04, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment.

3. **040146** **[Determination of Fiscal Feasibility of Proposed Project]**
Supervisor Peskin
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 28 to require Board of Supervisors review of a proposed project meeting certain criteria and a determination that the proposed project is fiscally responsible and feasible before undertaking environmental review of the proposed project.

2/3/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/4/2004.

4. **040396** **[Appointment - Power Plant Task Force]**
Hearing to consider appointing 10 members to the Power Plant Task Force.

10 seats being considered

Vacant seat, new appointment, seat 1, must be a resident of the Mission Bay area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 2, must be a resident of the Bayview Hunters Point area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 3, must be a resident of the Potrero Hill area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 4, must be a resident of the Central Waterfront area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 5, must be a member of the Southern Waterfront Advisory Committee/Pier 70 Community Advisory Group; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 6, must be a resident of the South of Market area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 7, must be the executive director of the San Francisco Community Power Coop or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 8, must be the head of the San Francisco Labor Council or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 9, must be the executive director of Communities for a Better Environment or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 10, must be the executive director of Literacy for Environmental Justice or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

3/22/04, RECEIVED AND ASSIGNED to Rules Committee

10 seats/5 applicants

Philip DeAndrade, seat 1

Richard Millet, seat 3

L. Joseph Boss, seat 4

John Borg, seat 5

Steven Moss, seat 7

5. 040439 [Appointment - Animal Control and Welfare Commission]

Hearing to consider appointing three members to the Animal Control and Welfare Commission.

Three seats being considered

Vacant Seat, succeeding Laurie Kennedy, term expired, seat 1, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2006.

Vacant Seat, succeeding Joanne Kipnis, term expired, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2006.

Vacant Seat, succeeding Kelly Jensen, term expired, seat 7, must be licensed veterinarian, for a two-year term ending April 30, 2006.

4/1/04, RECEIVED AND ASSIGNED to Rules Committee.

3 seats/11 applicants

Laurie Kennedy, seat 1

Joanne Kipnis, Marsha Garland, Michele Berrong, seat 2

Dr. Mara Weiss, seat 7

Gloria Rogan, Deanna Aparicio, Jessica Cole, Jane Greenwald, Nate BeMiller, Christine Garcia, seat undeclared

6. 040489 [Appointment - Commission on Aging Advisory Council]

Hearing to consider appointing five members to the Commission on Aging Advisory Council.

Five seats being considered

Vacant seat, succeeding Robert Lipman, term expired, seat 1, must be a nominee of District 2 Supervisor for a two-year term ending March 31, 2006.

Vacant seat, succeeding Marie Conroy-Salbi, term expired, seat 4, must be a nominee of District 3 Supervisor for a two-year term ending March 31, 2006.

Vacant seat, succeeding Supervisor Leland Yee, term expired, seat 5, must be a nominee of District 4 Supervisor for a two-year term ending March 31, 2006.

Vacant seat, succeeding Catherine Russo, seat 6, must be a nominee of District 7 Supervisor, for the unexpired portion of a two-year term ending March 31, 2005.

Vacant seat, succeeding Tsuyako Kitashima, seat 8, must be a nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending March 31, 2005.

4/15/04, RECEIVED AND ASSIGNED to Rules Committee.

5 seats/5 applicants

Robert Lipman, seat 1

Jessica Bay, seat 4

Carlos Serrano-Quan, seat 5

Catherine Russo, seat 6

Marie Conroy-Salbi, seat 8

7. 040529 [Appointment - Bicycle Advisory Committee]

Hearing to consider appointing one member to the Bicycle Advisory Committee.

One seat being considered

Vacant seat, new appointment, seat 2, must be a nominee of District 2 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

4/21/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/1 applicant

Lionel Shaw, seat 2

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

8. 040353 **[Settlement of Claim - Irene Huang]**

Resolution approving the settlement of the unlitigated claim filed by Irene Huang against San Francisco for \$350,000; claim was filed on July 1, 2003; additional material terms of said settlement are: (a) Irene Huang is appointed to a provisional appointment; (b) Irene Huang agrees to cooperate in any proceedings between the City and Ricardo Paez; (c) Irene Huang shall receive 10% (ten percent) of any net recovery. (City Attorney)

4/5/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

There are no items now pending under the 30-day rule.

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City and County of San Francisco

Meeting Minutes

Rules Committee

[All Committees]
SF Public Library
Govt. Information Center, 5th Flr.
ATTN: Michael Sherrod-Flores
San Francisco, CA
94102-4689

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, April 28, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Tony Hall.

Members Absent: Matt Gonzalez.

MEETING CONVENED

The meeting convened at 10:07 a.m. Board President Gonzalez appointed Supervisor Hall to serve on the Rules Committee for today's meeting only.

REGULAR AGENDA

DOCUMENTS DEPT.

MAY - 3 2004

SAN FRANCISCO
PUBLIC LIBRARY

040268 [Appointment - Treasure Island Development Authority Citizens Advisory Committee]

Resolution appointing Elizabeth Strahlstrom, term ending January 1, 2005, to the Treasure Island Development Authority Citizens Advisory Board.

Elizabeth Strahlstrom, succeeding Arnold Levine, resigned, seat 11, must possess any of the following qualifications: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending January 1, 2005.

4/28/04 Supervisor Maxwell dissented in Committee.

2/26/04, RECEIVED AND ASSIGNED to Rules Committee.

3/17/04, PREPARED IN COMMITTEE AS A RESOLUTION. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Chrysanthé Gussis; Garrett Jenkins; Alex Lantsberg; Roy Schneiderman; Elizabeth Strahlstrom.

Appointment of Elizabeth Strahlstrom, seat 11.

3/17/04, RECOMMENDED...

3/23/04, RE-REFERRED to Rules Committee.

Heard in Committee. Speakers: Elizabeth Strahlstrom; Garrett Jenkins; Francisco DaCosta; Ruth Gravanis. Appointment of Elizabeth Strahlstrom, seat 11, recommended.

RECOMMENDED by the following vote:

Ayes: 2 - Alioto-Pier, Hall

Noes: 1 - Maxwell

Absent: 1 - Gonzalez

020585 [Establishing a Library Citizens Advisory Committee]**Supervisor Daly**

Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article 25, Section 5.250, to establish the Library Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/8/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee

12/10/02, FILED PURSUANT TO RULE 5.37.

10/21/03, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated and be named as sponsor.

10/21/03, ASSIGNED to Rules Committee.

2/10/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

2/12/04 - Supervisor McGoldrick withdrew his name as sponsor.

2/10/04, ASSIGNED to Rules Committee.

3/31/04, CONTINUED. Heard in Committee: Speakers: Susan Hildreth, City Librarian; Charles Higuera, Library Commissioner; Bill Barnes, aide to Supervisor Daly; Gloria Young, Clerk of the Board; Marcia Popper; Denise D'Anne; Frances Hsieh, aide to Supervisor Ma; Martin Gomez; Joe Rosenthal; Chet Roman; Chris Ortiz; Myron Seeman; James Lew; Dan Weaver, David Hooper; Tony Sacco; Joan Jackson; Female Speaker; James Chaffee; Sue Cauthen; Supervisor Chris Daly; Peter Warfield; Laurie Fontanello. Continued to meeting of April 14, 2004.

4/14/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/14/04, CONTINUED. Heard in Committee: Speakers: Bill Barnes, aide to Supervisor Daly; Jennifer Matz, aide to Supervisor Alioto-Pier; Susan Hildreth, City Librarian; James Chaffee; Peter Warfield; Marc Solomon; Male Speaker; Deborah Doyle; Martin Gomez; Frederick Elling; Jeffrey Kwong; Male Speaker; Christine Ortiz; Sue Cauthen. Continued 4/28/04.

4/19/04, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment.

Heard in Committee. Speakers: Peter Warfield; James Chaffee; Richard Millet; Laurie Gidis; Dan Weaver; Christine Ortiz; Sue Cauthen; Deborah Doyle; Susan Hildreth, City Librarian; Cheryl Adams, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Hall

Absent: 1 - Gonzalez

040146 [Determination of Fiscal Feasibility of Proposed Project]**Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 28 to require Board of Supervisors review of a proposed project meeting certain criteria and a determination that the proposed project is fiscally responsible and feasible before undertaking environmental review of the proposed project.

2/3/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/4/2004.

Speakers: None.

Continued to 5/12/04

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Hall

Absent: 1 - Gonzalez

040396 [Appointment - Power Plant Task Force]

Hearing to consider appointing 10 members to the Power Plant Task Force. (Rules Committee)

10 seats being considered

Vacant seat, new appointment, seat 1, must be a resident of the Mission Bay area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 2, must be a resident of the Bayview Hunters Point area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 3, must be a resident of the Potrero Hill area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 4, must be a resident of the Central Waterfront area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 5, must be a member of the Southern Waterfront Advisory Committee/Pier 70 Community Advisory Group; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 6, must be a resident of the South of Market area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 7, must be the executive director of the San Francisco Community Power Coop or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 8, must be the head of the San Francisco Labor Council or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 9, must be the executive director of Communities for a Better Environment or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 10, must be the executive director of Literacy for Environmental Justice or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

3/22/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Richard Millet; Espanola Jackson; John Borg; Francisco DaCosta; L. Joseph Boss.

Appointment of Philip DeAndrade, seat 1, Richard Millet, seat 3, L. Joseph Boss, seat 4, John Borg, seat 5, recommended. Seats 2, 6, 7, 8, 9, 10 divided and continued to Call of the Chair. See File No. 040577.

DIVIDED.

Hearing to consider appointing four members to the Power Plant Task Force. (Rules Committee)

Four seats being considered

Vacant seat, new appointment, seat 1, must be a resident of the Mission Bay area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 3, must be a resident of the Potrero Hill area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 4, must be a resident of the Central Waterfront area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 5, must be a member of the Southern Waterfront Advisory Committee/Pier 70 Community Advisory Group; for the unexpired portion of a two-year term ending November 1, 2005.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Philip DeAndrade, Richard Millet, L. Joseph Boss and John Borg, terms ending November 1, 2005, to the Power Plant Task Force. (Rules Committee)

Philip DeAndrade, new appointment, seat 1, must be a resident of the Mission Bay area; for the unexpired portion of a two-year term ending November 1, 2005.

Richard Millet, new appointment, seat 3, must be a resident of the Potrero Hill area; for the unexpired portion of a two-year term ending November 1, 2005.

L. Joseph Boss, new appointment, seat 4, must be a resident of the Central Waterfront area; for the unexpired portion of a two-year term ending November 1, 2005.

John Borg, new appointment, seat 5, must be a member of the Southern Waterfront Advisory Committee/Pier 70 Community Advisory Group; for the unexpired portion of a two-year term ending November 1, 2005.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Hall

Absent: 1 - Gonzalez

040439 [Appointment - Animal Control and Welfare Commission]

Hearing to consider appointing three members to the Animal Control and Welfare Commission.

Three seats being considered

Vacant Seat, succeeding Laurie Kennedy, term expired, seat 1, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2006.

Vacant Seat, succeeding Joanne Kipnis, term expired, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2006.

Vacant Seat, succeeding Kelly Jensen, term expired, seat 7, must be licensed veterinarian, for a two-year term ending April 30, 2006.

4/1/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Laurie Kennedy; Joanne Kipnis; Dr. Mara Weiss; Gloria Rogan; Jessica Cole; Christine Garcia; Female Speaker; Sharon Beals.

Appointment of Laurie Kennedy, seat 1, Joanne Kipnis, seat 2, Dr. Mara Weiss, seat 7.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Laurie Kennedy, Joanne Kipnis and Dr. Mara Weiss, terms ending April 30, 2006, to the Animal Control and Welfare Commission.

Laurie Kennedy, succeeding herself, term expired, seat 1, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2006.

Joanne Kipnis, succeeding herself, term expired, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2006.

Dr. Mara Weiss, succeeding Kelly Jensen, term expired, seat 7, must be licensed veterinarian, for a two-year term ending April 30, 2006.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Hall

Absent: 1 - Gonzalez

040489 [Appointment - Commission on Aging Advisory Council]

Hearing to consider appointing five members to the Commission on Aging Advisory Council.

Five seats being considered

Vacant seat, succeeding Robert Lipman, term expired, seat 1, must be a nominee of District 2 Supervisor for a two-year term ending March 31, 2006.

Vacant seat, succeeding Marie Conroy-Salbi, term expired, seat 4, must be a nominee of District 3 Supervisor for a two-year term ending March 31, 2006.

Vacant seat, succeeding Edmund Jew, term expired, seat 5, must be a nominee of District 4 Supervisor for a two-year term ending March 31, 2006.

Vacant seat, succeeding Catherine Russo, seat 6, must be a nominee of District 7 Supervisor, for a two-year term ending March 31, 2006.

Vacant seat, succeeding Tsuyako Kitashima, seat 8, must be a nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending March 31, 2005.

4/15/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Robert Lipman; Carlos Serrano-Quan; Catherine Russo; William Hollabaugh, Advisory Council on Aging; Francisco DaCosta.

Appointment of Robert Lipman, seat 1, Jessica Bay, seat 4, Carlos Serrano-Quan, seat 5, Catherine Russo, seat 6, Marie Conroy-Salbi, seat 8.

PREPARED IN COMMITTEE AS A MOTION.

Resolution appointing Robert Lipman, Jessica Bay, Carlos Serrano-Quan and Catherine Russo, terms ending March 31, 2006, and Marie Conroy-Salbi, term ending March 31, 2005, to the Commission on Aging Advisory Council.

Robert Lipman, succeeding himself, term expired, seat 1, must be a nominee of District 2 Supervisor for a two-year term ending March 31, 2006.

Jessica Bay, succeeding Marie Conroy-Salbi, term expired, seat 4, must be a nominee of District 3 Supervisor for a two-year term ending March 31, 2006.

Carlos Serrano-Quan, succeeding Edmund Jew, term expired, seat 5, must be a nominee of District 4 Supervisor for a two-year term ending March 31, 2006.

Catherine Russo, succeeding herself, seat 6, must be a nominee of District 7 Supervisor, for a two-year term ending March 31, 2006.

Marie Conroy-Salbi, succeeding Tsuyako Kitashima, seat 8, must be a nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending March 31, 2005.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 2 - Hall, Gonzalez

040529 [Appointment - Bicycle Advisory Committee]

Hearing to consider appointing one member to the Bicycle Advisory Committee.

1 seat/1 applicant

Vacant seat, new appointment, seat 2, must be a nominee of District 2 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

4/21/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Lionel Shaw.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Lionel Shaw, term ending November 19, 2004, to the Bicycle Advisory Committee.

Lionel Shaw, new appointment, seat 2, must be a nominee of District 2 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 2 - Hall, Gonzalez

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 2 - Hall, Gonzalez

040353 [Settlement of Claim - Irene Huang]

Resolution approving the settlement of the unlitigated claim filed by Irene Huang against San Francisco for \$350,000; claim was filed on July 1, 2003; additional material terms of said settlement are: (a) Irene Huang is appointed to a provisional appointment; (b) Irene Huang agrees to cooperate in any proceedings between the City and Ricardo Paez; (c) Irene Huang shall receive 10% (ten percent) of any net recovery. (City Attorney)

4/5/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED...

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 2 - Hall, Gonzalez

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

The meeting adjourned at 12:45 p.m.



City and County of San Francisco

[All Committees]

Meeting Agenda

Rules Committee

SF Public Library

Govt. Information Center, 5th Flr.

ATTN: Michael Sherrod-Flores

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, May 12, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

1. 040446 [Confirming the appointment of Peter Mezey to the Municipal Transportation Agency Board of Directors]

Mayor

Resolution confirming the appointment of Peter Mezey to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

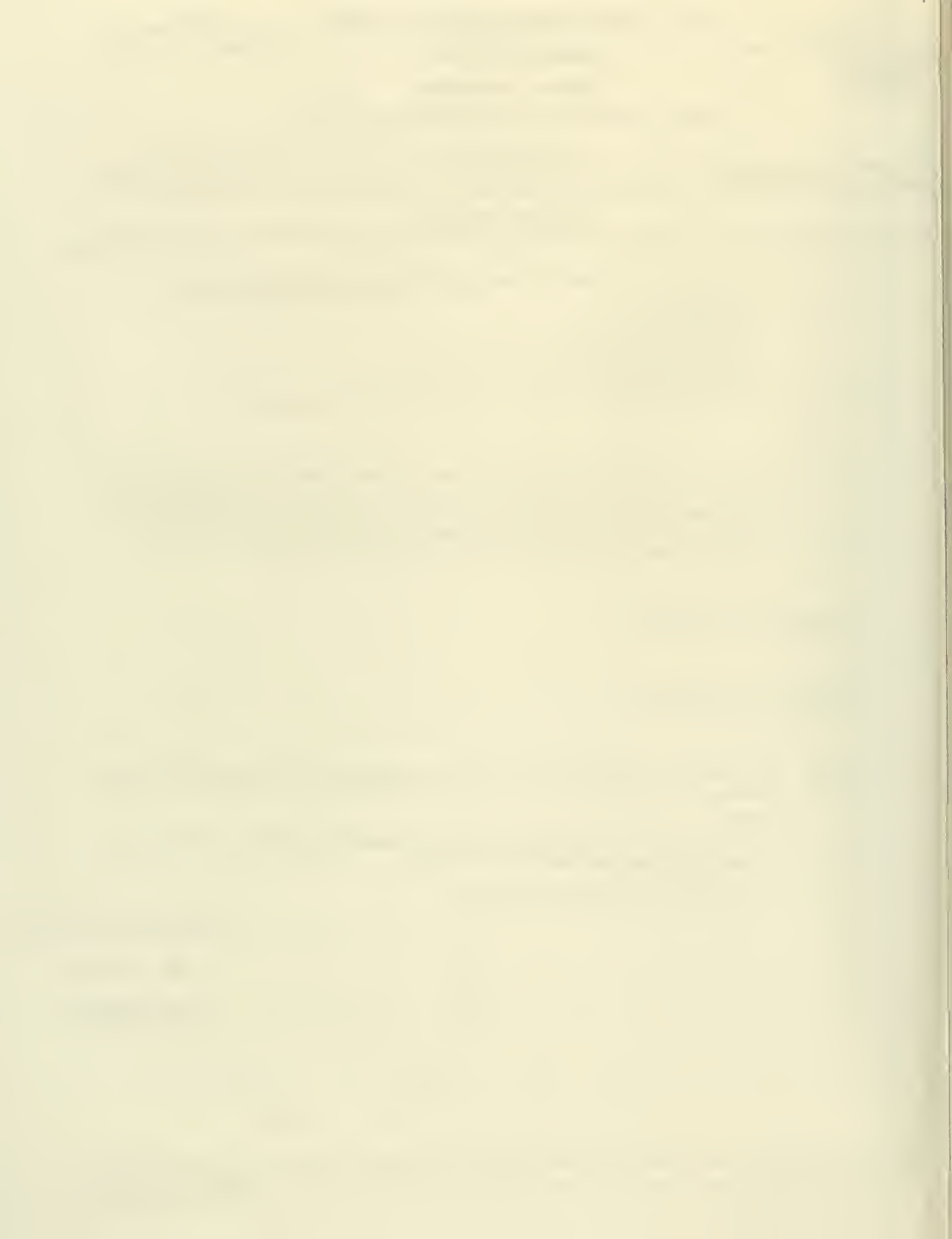
4/13/04, RECEIVED AND ASSIGNED to Rules Committee.

DOCUMENTS DEPT.

MAY 10 2004

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95-12-13.41-5-2004



2. **040356 [Appointment - Immigrant Rights Commission]**
Hearing to consider appointing two members to the Immigrant Rights Commission.
- Two seats being considered
Vacant seat, succeeding Phu Nguyen, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2005.
Vacant seat, succeeding Juan Berumen, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2005.
- 3/18/04, RECEIVED AND ASSIGNED to Rules Committee.
2 seats/2 applicants
Phu Nguyen, seat 8
Zina Spektor, seat 8 or 11
3. **040580 [Appointment - Lead Hazard Reduction Citizens Advisory Committee]**
Hearing to consider appointing one member to the Lead Hazard Reduction Citizens Advisory Committee.
- One seat being considered
Vacant Seat, succeeding James Hutchinson, term expired, seat 2, must represent the Department of Building Inspection, for the unexpired portion of a term ending December 31, 2006.
- 5/6/04, RECEIVED AND ASSIGNED to Rules Committee.
1 seat/1 applicant
James Hutchinson, seat 2 (residency waiver required)
4. **040146 [Determination of Fiscal Feasibility of Proposed Project]**
Supervisor Peskin
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 28 to require Board of Supervisors review of a proposed project meeting certain criteria and a determination that the proposed project is fiscally responsible and feasible before undertaking environmental review of the proposed project.
- 2/3/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/4/2004
4/28/04, CONTINUED. Speakers: None.
Continued to 5/12/04
5. **040539 [Requirements for Department of Building Inspection Permit Tracking System]**
Supervisors Dufty, Ammiano, Gonzalez
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 78 to direct the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits.
- 4/27/04, RECEIVED AND ASSIGNED to Rules Committee.

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

6. 040393 [Settlement of Lawsuit - 555 California Street Partners, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., for \$34,200; the lawsuit was filed on August 20, 2003 in the Superior Court of the County of San Francisco, Case No. 423627; entitled City and County of San Francisco v. 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., et al. (City Attorney)

4/9/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE**(Not to be considered at this meeting)**

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

There are no items now pending under the 30-day rule.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

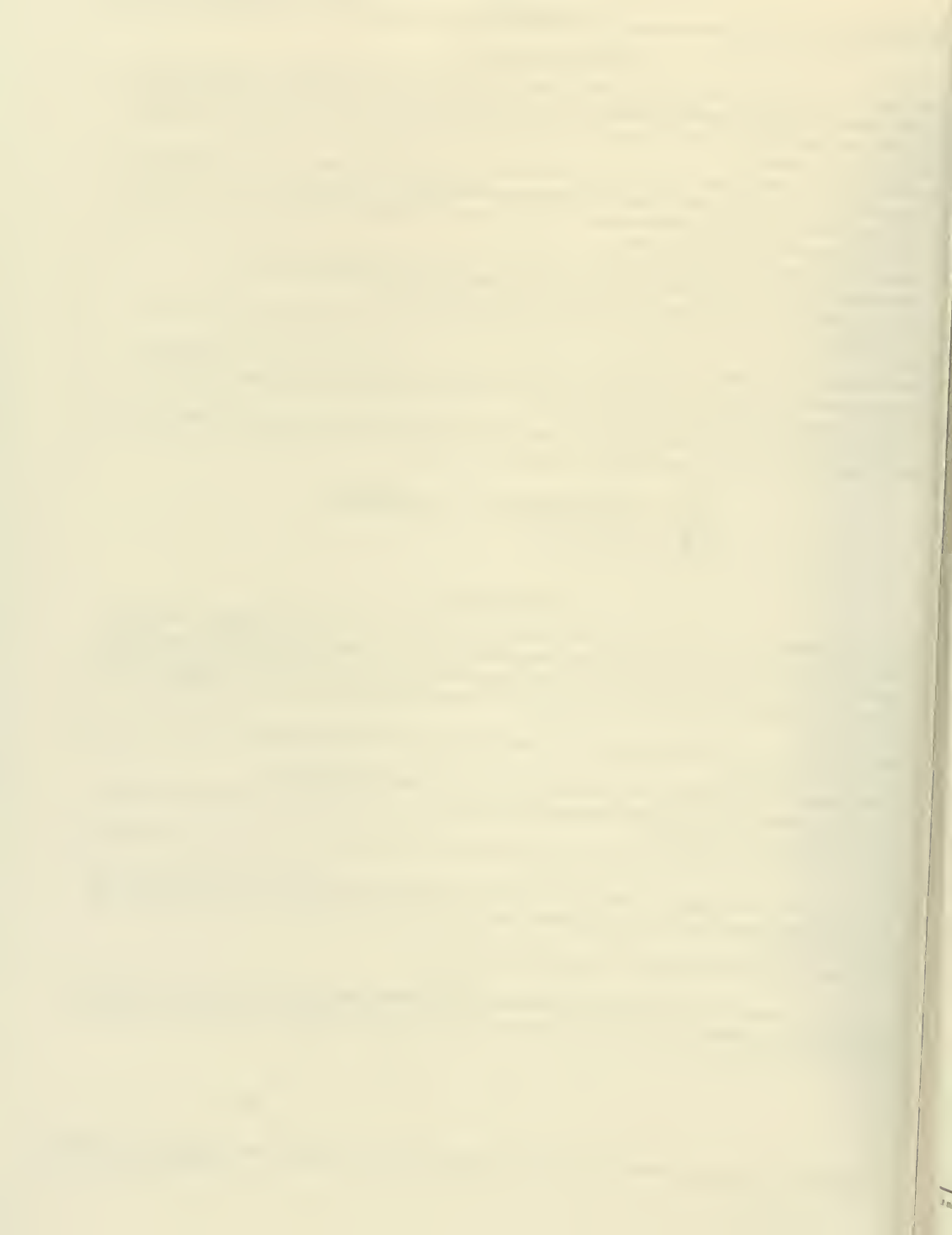
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

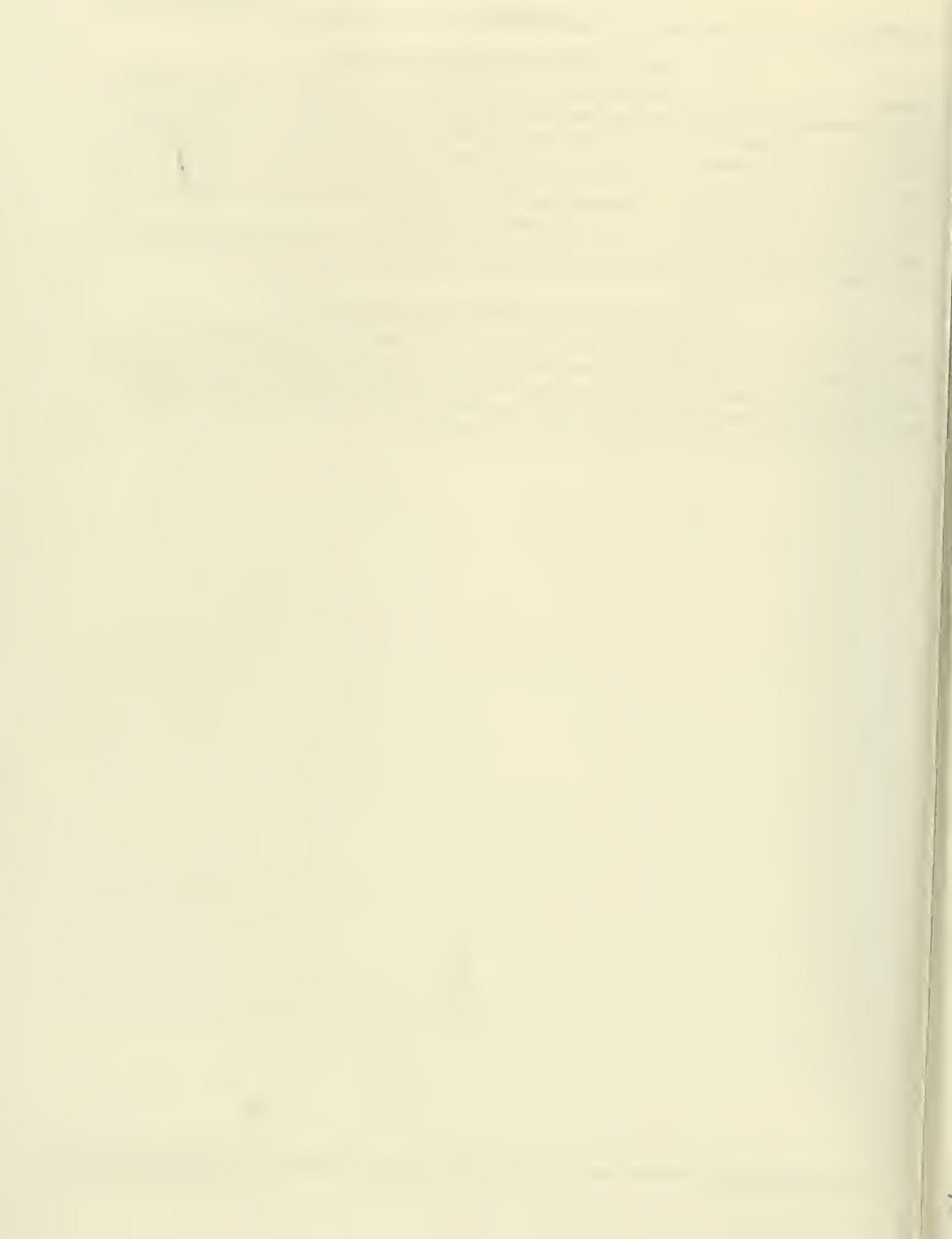


Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics





Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, May 12, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED.

DOCUMENTS DEPT.

The meeting convened at 10:01 a.m.

MAY 17 2004

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REGULAR AGENDA

040446 [Confirming the appointment of Peter Mezey to the Municipal Transportation Agency Board of Directors]

Mayor

Resolution confirming the appointment of Peter Mezey to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

4/13/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Peter Mezey, applicant.

Appointment of Peter Mezey, recommended.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040356 [Appointment - Immigrant Rights Commission]

Hearing to consider appointing two members to the Immigrant Rights Commission. (Rules Committee)

Two seats being considered

Vacant seat, succeeding Phu Nguyen, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2005.

Vacant seat, succeeding Juan Berumen, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2005.

3/18/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Zina Spektor, applicant; Cheryl Adams, Deputy City Attorney, City Attorney's Office.

Appointment of Zina Spektor, Seat 11. Seat 8 divided and Continued to the Call of the Chair. See File 040627.

Chairperson Supervisor Maxwell requested that the Director of the Commission attend a future meeting.

DIVIDED.

Hearing to consider appointing one member to the Immigrant Rights Commission. (Rules Committee)

One seat being considered

Vacant seat, succeeding Juan Berumen, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2005.

Appointment of Zina Spektor, Seat 11, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Zina Spektor for a two-year term ending June 6, 2005 to the Immigrant Rights Commission. (Rules Committee)

Zina Spektor, succeeding Juan Berumen, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2005.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040627 [Appointment-Immigrant Rights Commission]

Hearing to consider appointing one member to the Immigrant Rights Commission.

1 Seat Being Considered.

Vacant Seat, succeeding Phu Nguyen, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2005.

Divided from File 040356.

Chairperson Supervisor Maxwell requested that the Director of the Commission attend a future meeting.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040580 [Appointment - Lead Hazard Reduction Citizens Advisory Committee]

Hearing to consider appointing one member to the Lead Hazard Reduction Citizens Advisory Committee.

One seat being considered

Vacant Seat, succeeding James Hutchinson, term expired, seat 2, must represent the Department of Building Inspection, for the unexpired portion of a term ending December 31, 2006.

5/6/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: James Hutchinson, applicant.

Appointment of James Hutchinson, Seat 2, recommended. Residency requirement waived.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing James Hutchinson for the unexpired portion of a term ending December 31, 2006 to the Lead Hazard Reduction Citizens Advisory Committee. Residency requirement waived.

James Hutchinson (residency requirement waived), term expired, seat 2, must represent the Department of Building Inspection, for the unexpired portion of a term ending December 31, 2006.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040146 [Determination of Fiscal Feasibility of Proposed Project]**Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 28 to require Board of Supervisors review of a proposed project meeting certain criteria and a determination that the proposed project is fiscally responsible and feasible before undertaking environmental review of the proposed project.

2/3/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/4/2004.

4/28/04, CONTINUED. Speakers: None.

Continued to 5/12/04

Heard in Committee. Speaker: David Owen, Legislative Aide, Supervisor Peskin's Office; Kate Stacy, Deputy City Attorney, City Attorney's Office; James McLaughlin, San Francisco Public Utilities Commission.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED.

040539 [Requirements for Department of Building Inspection Permit Tracking System]**Supervisors Dufty, Ammiano, Gonzalez**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 78 to direct the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Kate Stacy, Deputy City Attorney, City Attorney's Office; Frank Chiu, Department of Building Inspection; Supervisor Bevan Dufty, Sponsor.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040393 [Settlement of Lawsuit - 555 California Street Partners, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., for \$34,200; the lawsuit was filed on August 20, 2003 in the Superior Court of the County of San Francisco, Case No. 423627; entitled City and County of San Francisco v. 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., et al. (City Attorney)

4/9/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 11:35 a.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, May 19, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

DOCUMENTS DEPT.

MAY 17 2004

SAN FRANCISCO
PUBLIC LIBRARY

AGENDA CHANGES

REGULAR AGENDA

1. 040357 [Appointment - Veterans Affairs Commission]
Hearing to consider appointing three members to the Veterans Affairs Commission.

Vacant seat, succeeding Carla Hollis, resigned, seat 5, must be an woman veteran. for the unexpired portion of a four-year term ending January 31, 2006.

Vacant seat, succeeding Glen Raswyck, term expired, seat 9, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.

3/18/04, RECEIVED AND ASSIGNED to Rules Committee.

3 Seats/2 Applicants.

Cheryl Denise Cook, Seats 9 and 10.

Anthony Vleet Hailey, Seat 10.

2. **040577 [Appointment - Power Plant Task Force]**
Hearing to consider appointing six members to the Power Plant Task Force.

Vacant seat, new appointment, seat 2, must be a resident of the Bayview Hunters Point area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 6, must be a resident of the South of Market area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 7, must be the executive director of the San Francisco Community Power Coop or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 8, must be the head of the San Francisco Labor Council or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 9, must be the executive director of Communities for a Better Environment or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 10, must be the executive director of Literacy for Environmental Justice or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

4/29/04, RECEIVED AND ASSIGNED to Rules Committee.

6 Seats/4 Applicants.

Toby Levy, Seat 6.

Steven Moss, Seat 7.

Dana Lanza, Seat 10 (residency waiver required)

Karen G. Pierce, seat undeclared.

3. **040532 [Establishing a Police Department Citizens Advisory Committee]**
Supervisor Maxwell

Ordinance amending Article IV, Chapter 2A of the San Francisco Administrative Code by adding Section 2A.87, to establish the Police Department Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee.

4. **040541 [Commendation - Kamala Harris]**
Supervisors Daly, Gonzalez, Ammiano, Maxwell

Resolution commending the San Francisco District Attorney Kamala Harris for not pursuing the death penalty, and reaffirming the City's support for our District Attorney.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee.

5. **040273 [Instant Runoff Voting]**
Supervisor Gonzalez

Resolution invoking section 19211 of the California Elections code to experimentally adopt the use of modified voting equipment, and urging the Department of Elections and Elections Commission to begin all preparations for using instant runoff voting this November 2004 and to immediately commence public education and outreach.

3/9/04, RECEIVED AND ASSIGNED to Rules Committee.

4/21/04, CONTINUED. Heard in Committee. Speakers: Steven Hill; John Armtz, Elections Department; Alex Rosenthal, Elections Commission; Ted Lakey, Deputy City Attorney; Susan Mizner, Mayor's Office on Disability; George Clark; Male Speaker; Female Speaker; Grant Wilson.

Continued to 5/19/04.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

**040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides]
Supervisor Gonzalez**

Charter amendment (First Draft) by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 60 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

**RULES COMMITTEE
S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689**

IMPORTANT HEARING NOTICE!!!



City and County of San Francisco Government Information Center
Main Library (41)

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, May 19, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED.

The meeting convened at 10:05 a.m.

DOCUMENTS DEPT.

MAY 21 2004

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR AGENDA

040357 [Appointment - Veterans Affairs Commission]

Hearing to consider appointing three members to the Veterans Affairs Commission.

Vacant seat, succeeding Carla Hollis, resigned, seat 5, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2006.

Vacant seat, succeeding Glen Raswyck, term expired, seat 9, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.

3/18/04, RECEIVED AND ASSIGNED to Rules Committee. 5/13/04 Notified applicants of hearing.

Heard in Committee. Speakers: Cheryl Denise Cook, applicant; Edwin A. Wilkerson, Veterans of Foreign Affairs; Raymond Wong, Veterans of Foreign Affairs; Wallace Levin, County Veteran Services Officer, County Veteran Services Office.

Appointment of Cheryl Denise Cook, Seat 9, recommended.

Seats 5 and 10 remain unfilled.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Cheryl Denise Cook, term ending January 31, 2008, to the Veterans Affairs Commission.

Cheryl Denise Cook, succeeding Glen Raswyck, term expired, seat 9, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040577 [Appointment - Power Plant Task Force]

Hearing to consider appointing six members to the Power Plant Task Force.

Vacant seat, new appointment, seat 2, must be a resident of the Bayview Hunters Point area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 6, must be a resident of the South of Market area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 7, must be the executive director of the San Francisco Community Power Coop or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 8, must be the head of the San Francisco Labor Council or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 9, must be the executive director of Communities for a Better Environment or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 10, must be the executive director of Literacy for Environmental Justice or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

4/29/04, RECEIVED AND ASSIGNED to Rules Committee. 5/13/04 Notified applicants of hearing.

Heard in Committee. Speakers: Toby Levy, applicant; Steven Moss, applicant; Dana Lanza, applicant; Karen G. Pierce, applicant.

Appointments of Toby Levy, Seat 6; Steven Moss, Seat 7; Dana Lanza, Seat 10 (residency requirement waived); Karen G. Pierce, Seat 2 recommended. Seats 8 and 9 remain unfilled.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Toby Levy, Steven Moss, Dana Lanza (residency requirement waived), and Karen G. Pierce, term ending November 1, 2005 to the Power Plant Task Force.

Karen G. Pierce, new appointment, seat 2, must be a resident of the Bayview Hunters Point area; for the unexpired portion of a two-year term ending November 1, 2005.

Toby Levy, new appointment, seat 6, must be a resident of the South of Market area; for the unexpired portion of a two-year term ending November 1, 2005.

Steven Moss, new appointment, seat 7, must be the executive director of the San Francisco Community Power Coop or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Dana Lanza (residency requirement waived), new appointment, seat 10, must be the executive director of Literacy for Environmental Justice or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040532 [Establishing a Police Department Citizens Advisory Committee]**Supervisor Maxwell**

Ordinance amending Article IV, Chapter 2A of the San Francisco Administrative Code by adding Section 2A.87, to establish the Police Department Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Gloria L. Young, Clerk of the Board.

Amendment of the Whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040541 [Commendation - Kamala Harris]**Supervisors Daly, Gonzalez, Ammiano, Maxwell**

Resolution commending the San Francisco District Attorney Kamala Harris for not pursuing the death penalty, and reaffirming the City's support for our District Attorney.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee. 5/13/04: District Attorney notified of meeting.

Heard in Committee. Speakers: Supervisor Chris Daly, Sponsor; John Di Donna; Jon Streeter, President, Bar Association of California.

Amendment of the Whole Bearing Same Title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040273 [Instant Runoff Voting]**Supervisor Gonzalez**

Resolution invoking section 19211 of the California Elections code to experimentally adopt the use of modified voting equipment, and urging the Department of Elections and Elections Commission to begin all preparations for using instant runoff voting this November 2004 and to immediately commence public education and outreach.

3/9/04, RECEIVED AND ASSIGNED to Rules Committee.

4/21/04, CONTINUED. Heard in Committee. Speakers: Steven Hill; John Arntz, Elections Department; Alex Rosenthal, Elections Commission; Ted Lakey, Deputy City Attorney; Susan Mizner, Mayor's Office on Disability; George Clark; Male Speaker. Female Speaker: Grant Wilson.

Continued to 5/19/04

Heard in Committee. Speakers: Bob Planthold; Grant Wilson, Director, Voting Accessibility Advisory Committee; Jessie Lorenz, ILRC and California Council of Blind.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

ADJOURNMENT

The meeting adjourned at 11:20 a.m.



City and County of San Francisco
Meeting Minutes
Rules Committee

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, May 19, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED.

The meeting convened at 10:05 a.m.

REGULAR AGENDA

040357 [Appointment - Veterans Affairs Commission]

Hearing to consider appointing three members to the Veterans Affairs Commission.

Vacant seat, succeeding Carla Hollis, resigned, seat 5, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2006.

Vacant seat, succeeding Glen Raswyck, term expired, seat 9, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Vacant seat, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.

3/18/04, RECEIVED AND ASSIGNED to Rules Committee. 5/13/04: Notified applicants of hearing.

Heard in Committee. Speakers: Cheryl Denise Cook, applicant; Edwin A. Wilkerson, Veterans of Foreign Affairs; Raymond Wong, Veterans of Foreign Affairs; Wallace Levin, County Veteran Services Officer, County Veteran Services Office.

Appointment of Cheryl Denise Cook, Seat 9, recommended.

Seats 5 and 10 remain unfilled.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Cheryl Denise Cook, term ending January 31, 2008, to the Veterans Affairs Commission.

Cheryl Denise Cook, succeeding Glen Raswyck, term expired, seat 9, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040577 [Appointment - Power Plant Task Force]

Hearing to consider appointing six members to the Power Plant Task Force.

Vacant seat, new appointment, seat 2, must be a resident of the Bayview Hunters Point area; for the unexpired portion of a two-year term ending November 1, 2005.

Vacant seat, new appointment, seat 6, must be a resident of the South of Market area; for the unexpired portion of a two-year term ending November 1, 2005.

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Vacant seat, new appointment, seat 10, must be the executive director of Literacy for Environmental Justice or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

4/29/04, RECEIVED AND ASSIGNED to Rules Committee. 5/13/04: Notified applicants of hearing.

Heard in Committee. Speakers: Toby Levy, applicant; Steven Moss, applicant; Dana Lanza, applicant; Karen G. Pierce, applicant.

Appointments of Toby Levy, Seat 6; Steven Moss, Seat 7; Dana Lanza, Seat 10 (residency requirement waived); Karen G. Pierce, Seat 2 recommended. Seats 8 and 9 remain unfilled.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Toby Levy, Steven Moss, Dana Lanza (residency requirement waived), and Karen G. Pierce, term ending November 1, 2005 to the Power Plant Task Force.

Karen G. Pierce, new appointment, seat 2, must be a resident of the Bayview Hunters Point area; for the unexpired portion of a two-year term ending November 1, 2005.

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RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040532 [Establishing a Police Department Citizens Advisory Committee]**Supervisor Maxwell**

Ordinance amending Article IV, Chapter 2A of the San Francisco Administrative Code by adding Section 2A.87, to establish the Police Department Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Gloria L. Young, Clerk of the Board.

Amendment of the Whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier
Absent: 1 - Gonzalez

040541 [Commendation - Kamala Harris]**Supervisors Daly, Gonzalez, Ammiano, Maxwell**

Resolution commending the San Francisco District Attorney Kamala Harris for not pursuing the death penalty, and reaffirming the City's support for our District Attorney.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee. 5/13/04: District Attorney notified of meeting.

Heard in Committee. Speakers: Supervisor Chris Daly, Sponsor; John Di Donna; Jon Streeter, President, Bar Association of California.

Amendment of the Whole Bearing Same Title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

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Resolution invoking section 19211 of the California Elections code to experimentally adopt the use of modified voting equipment, and urging the Department of Elections and Elections Commission to begin all preparations for using instant runoff voting this November 2004 and to immediately commence public education and outreach.

3/9/04, RECEIVED AND ASSIGNED to Rules Committee.

4/21/04, CONTINUED. Heard in Committee. Speakers: Steven Hill; John Arntz, Elections Department; Alex Rosenthal, Elections Commission; Ted Lakey, Deputy City Attorney; Susan Mizner, Mayor's Office on Disability; George Clark; Male Speaker; Female Speaker; Grant Wilson.

Continued to 5/19/04.

Heard in Committee. Speakers: Bob Plantuold; Grant Wilson, Director, Voting Accessibility Advisory Committee; Jessie Lorenz, ILRC and California Council of Blind.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier
Absent: 1 - Gonzalez

ADJOURNMENT

The meeting adjourned at 11:20 a.m.

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, May 26, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

DOCUMENTS DEPT.

AGENDA CHANGES

MAY 24 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

1. 040627 [Appointment-Immigrant Rights Commission]

Hearing to consider appointing one member to the Immigrant Rights Commission.

1 Seat Being Considered.

Vacant Seat, succeeding Phu Nguyen, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2005.

5/12/04, CONTINUED TO CALL OF THE CHAIR. Divided from File 040356.

Chairperson Supervisor Maxwell requested that the Director of the Commission attend a future meeting.

5/12/04, RECEIVED AND ASSIGNED to Rules Committee 5/17/04. Notified contact of Immigrant Rights Commission that Chair requested that the Director of Commission attend the next meeting

1 seat/1 applicant

Phu Nguyen, seat 8

2. **040119** **[Appointment - Asthma Task Force]**
Hearing to consider appointing four members to the Asthma Task Force.
- 4 seats being considered
Vacant seat, succeeding Deanna Rossi, resigned, seat 3, must be a representative of childcare coordinating/advocacy organizations and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.
Vacant seat, new position, seat 12, must be a representative of MediCal Managed Care Insurers and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.
Vacant seat, new position, seat 21, must be an individual who represents property interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.
Vacant seat, succeeding Michael Walter Green, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.
- 1/26/04. RECEIVED AND ASSIGNED to Rules Committee.
4 seats/2 applicants
David J. Villa-lobos, Seat 22.
Lucille M. Valdivia, seat undeclared.
3. **040539** **[Requirements for Department of Building Inspection Permit Tracking System]**
Supervisors Dufty, Ammiano, Gonzalez
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 78 to direct the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits.
- 4/27/04. RECEIVED AND ASSIGNED to Rules Committee.
5/12/04. CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Kate Stacy, Deputy City Attorney, City Attorney's Office; Frank Chiu, Department of Building Inspection; Supervisor Bevan Dufty, Sponsor.
5/19/04. Department of Building Inspection notified of May 26, 2004 meeting.

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

4. **040434** **[Settlement of Claim - State Farm Insurance Company as Subrogee for Ginny Pizzardi]**
Resolution approving the settlement of the unlitigated claim filed by State Farm Insurance Company as Subrogee for Ginny Pizzardi against San Francisco for \$27,904.60; Claim No. 04-01488 was filed on November 25, 2003. (City Attorney)
- 4/26/04. RECEIVED AND ASSIGNED to Rules Committee.

5. **040494** **[Settlement of Lawsuit - Novoa-Huf, et al.]**
Ordinance authorizing the settlement of lawsuit filed by Linda Novoa-Huf, Ayanda Lumpkin and LaKreisha Crawford against the San Francisco Department of Building Inspection, Michael Rodman, and McCoy's Patrol Services for \$175,000; the lawsuit was filed on December 3, 2002, in San Francisco Superior Court, Case No. 415266, entitled Novoa-Huf, et al. v. Department of Building Inspection, et al. (City Attorney)

4/26/04, RECEIVED AND ASSIGNED to Rules Committee.
6. **040572** **[Settlement of Lawsuit - Doug Barkus]**
Ordinance authorizing settlement of the lawsuit filed by Doug Barkus against the City and County of San Francisco for \$57,500; the lawsuit was filed on March 4, 2003 in San Francisco Superior Court, Case No. 502-539; entitled Doug Barkus v. City and County of San Francisco, et al. (City Attorney)

5/3/04, RECEIVED AND ASSIGNED to Rules Committee
7. **040573** **[Settlement of Lawsuits]**
Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al., and authorizing payment of attorneys fees and costs incurred by the City. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007. (City Attorney)

5/3/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

**040641 [Charter Amendment - Office of Economic Analysis; Economic Development Plan]
Supervisor Alioto-Pier**

Charter amendment (First Draft) by adding Section 2.118, to create an Office of Economic Analysis under the Board of Supervisors, and by adding Section 16.124, to require the Office of Economic Analysis to prepare an annual Economic Development Plan for the City.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004

**040642 [Charter Amendment - Authorizing health plans for City residents]
Supervisor Daly**

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004.

040643 [Charter Amendment - Health Service System]**Supervisor Daly**

Charter amendment (First Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter and adding Section A8.428-1 to Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board; replace the City Attorney seat on the Health Service Board with an elected seat; adjust the employers' contribution for health benefits; modify the application of the credit for Medicare premiums; and increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004

040644 [Charter Amendment - Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance; Violence Prevention Programs]**Supervisors Daly, Maxwell**

Charter amendment (First Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004

040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]**Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick**

Charter amendment (First Draft) by adding Section 13.111 to authorize San Francisco residents 18 years of age or older who have children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004

040646 [Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]**Supervisor Hall**

Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004

- 040647 [Charter Amendment - Board to set annual salary for Director of MTA, subject to \$250,000 cap; Board to approve Director's contract; Board's line item veto of expenditures and proposed fares in MTA budget; Controller to administer MTA quality review]**

Supervisor Sandoval

Charter amendment (First Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004.

- 040648 [Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data percentages of each]**

Supervisor Daly

Charter amendment (First Draft) by adding Section 4.135 to establish the Residential Rent Stabilization and Arbitration Board in the Charter, to increase its membership from five to seven members, to provide that the Mayor will appoint three members and the Board of Supervisors will appoint four members, and to allocate the seven seats among renters and non-renters according to the percentages of renter occupied housing units and owner occupied housing units in San Francisco as reported in the ten-year federal census.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004.

- 040649 [Charter Amendment - Requiring SFUSD to either appoint a controller or agree to use the City Controller for specified fiscal oversight functions in order to continue to receive funding for the Public Education Enrichment Fund]**

Supervisors Ammiano, Daly

Charter amendment (First Draft) by amending Section 16.123-2 to require as a condition of continuing to receive funding from the Public Education Enrichment Fund that the San Francisco Unified School District agree to form a committee of School District, City, and State officials that would send the Board of Education three nominees from which the Board could either select a person to serve as School District Controller, or alternatively, enter into a contract with the City to have the City Controller perform specified fiscal oversight functions.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004.

040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides]

Supervisor Gonzalez

Charter amendment (First Draft) by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 60 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

RULES COMMITTEE
S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689

IMPORTANT HEARING NOTICE!!!



City and County of San Francisco

Meeting Minutes Rules Committee

[All Committees]
SF Public Library
Govt. Information Center, 5th Flr.
ATTN: Michael Sherrod-Flores

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, May 26, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

DOCUMENTS DEPT.

JUN - 2 2004

SAN FRANCISCO
PUBLIC LIBRARY

MEETING CONVENED

The meeting convened at 10:15 a.m.

REGULAR AGENDA

040627 [Appointment-Immigrant Rights Commission]
Hearing to consider appointing one member to the Immigrant Rights Commission.

1 Seat Being Considered.

Vacant Seat, succeeding Phu Nguyen, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2005.

5/12/04, CONTINUED TO CALL OF THE CHAIR. Divided from File 040356.

Chairperson Supervisor Maxwell requested that the Director of the Commission attend a future meeting.

5/12/04, RECEIVED AND ASSIGNED to Rules Committee. 5/17/04. Notified contact of Immigrant Rights Commission that Chair requested that the Director of Commission attend the next meeting.

5/20/04 Applicant notified of meeting.

Heard in Committee. Speakers: Phu Nguyen; Dang Pham; Ted Lakey; Deputy City Attorney.

Appointment of Phu Nguyen, seat 8

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Phu Nguyen, term ending June 6, 2005, to the Immigrant Rights Commission.

Phu Nguyen, succeeding himself, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco; for the unexpired portion of a two-year term ending June 6, 2005.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040119 [Appointment - Asthma Task Force]

Hearing to consider appointing four members to the Asthma Task Force.

4 seats being considered

Vacant seat, succeeding Deanna Rossi, resigned, seat 3, must be a representative of childcare coordinating/advocacy organizations and is a voting member; for the unexpired portion of a two-year term ending June 30, 2005.

Vacant seat, new position, seat 12, must be a representative of MediCal Managed Care Insurers and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Vacant seat, new position, seat 21, must be an individual who represents property interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.

Vacant seat, succeeding Michael Walter Green, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.

1/26/04, RECEIVED AND ASSIGNED to Rules Committee. 5/20/04: Applicants notified of May 26, 2004 meeting.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040539 [Requirements for Department of Building Inspection Permit Tracking System]

Supervisors Dufty, Ammiano, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 78 to direct the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee.

5/12/04, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. *Speakers: Kate Stacy, Deputy City Attorney, City Attorney's Office; Frank Chiu, Department of Building Inspection; Supervisor Bevan Dufty, Sponsor*

5/19/04: Department of Building Inspection notified of May 26, 2004 meeting.

Heard in Committee. Speakers: Kate Stacy, Deputy City Attorney; Henry Karnilowicz; Frank Chiu, Department of Building Inspection; Richard Robinson.

5/26/04 Amendment of the Whole bearing same title.

Continued to 6/9/04.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040434 [Settlement of Claim - State Farm Insurance Company as Subrogee for Ginny Pizzardi]

Resolution approving the settlement of the unlitigated claim filed by State Farm Insurance Company as Subrogee for Ginny Pizzardi against San Francisco for \$27,904.60; Claim No. 04-01488 was filed on November 25, 2003. (City Attorney)

4/26/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040494 [Settlement of Lawsuit - Novoa-Huf, et al.]

Ordinance authorizing the settlement of lawsuit filed by Linda Novoa-Huf, Ayanda Lumpkin and LaKreisha Crawford against the San Francisco Department of Building Inspection, Michael Rodman, and McCoy's Patrol Services for \$175,000; the lawsuit was filed on December 3, 2002, in San Francisco Superior Court, Case No. 415266, entitled Novoa-Huf, et al. v. Department of Building Inspection, et al. (City Attorney)

4/26/04, RECEIVED AND ASSIGNED to Rules Committee

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040572 [Settlement of Lawsuit - Doug Barkus]

Ordinance authorizing settlement of the lawsuit filed by Doug Barkus against the City and County of San Francisco for \$57,500; the lawsuit was filed on March 4, 2003 in San Francisco Superior Court, Case No. 502-539; entitled Doug Barkus v. City and County of San Francisco, et al. (City Attorney)

5/3/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040573 [Settlement of Lawsuits]

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al., and authorizing payment of attorneys fees and costs incurred by the City. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007. (City Attorney)

5/3/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Sherri Sokeland Kaiser and Julie Moll, Deputy City Attorneys.

At page 2 lines 14-16 delete "Section 3. The City is hereby authorized to pay attorneys fees and costs incurred by the City's Elections Commission and Civil Service Commission, pursuant to invoices reviewed and approved by the respective commission."

See File No. 040721.

DIVIDED.

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007. (City Attorney)

5/26/04 Supervisor Maxwell dissented in Committee.

RECOMMENDED "DO NOT PASS" by the following vote:

Ayes: 2 - Alioto-Pier, Gonzalez

Noes: 1 - Maxwell

040721 [Payment of Attorneys Fees]

Ordinance authorizing payment of attorneys fees and costs incurred by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections. (City Attorney)

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

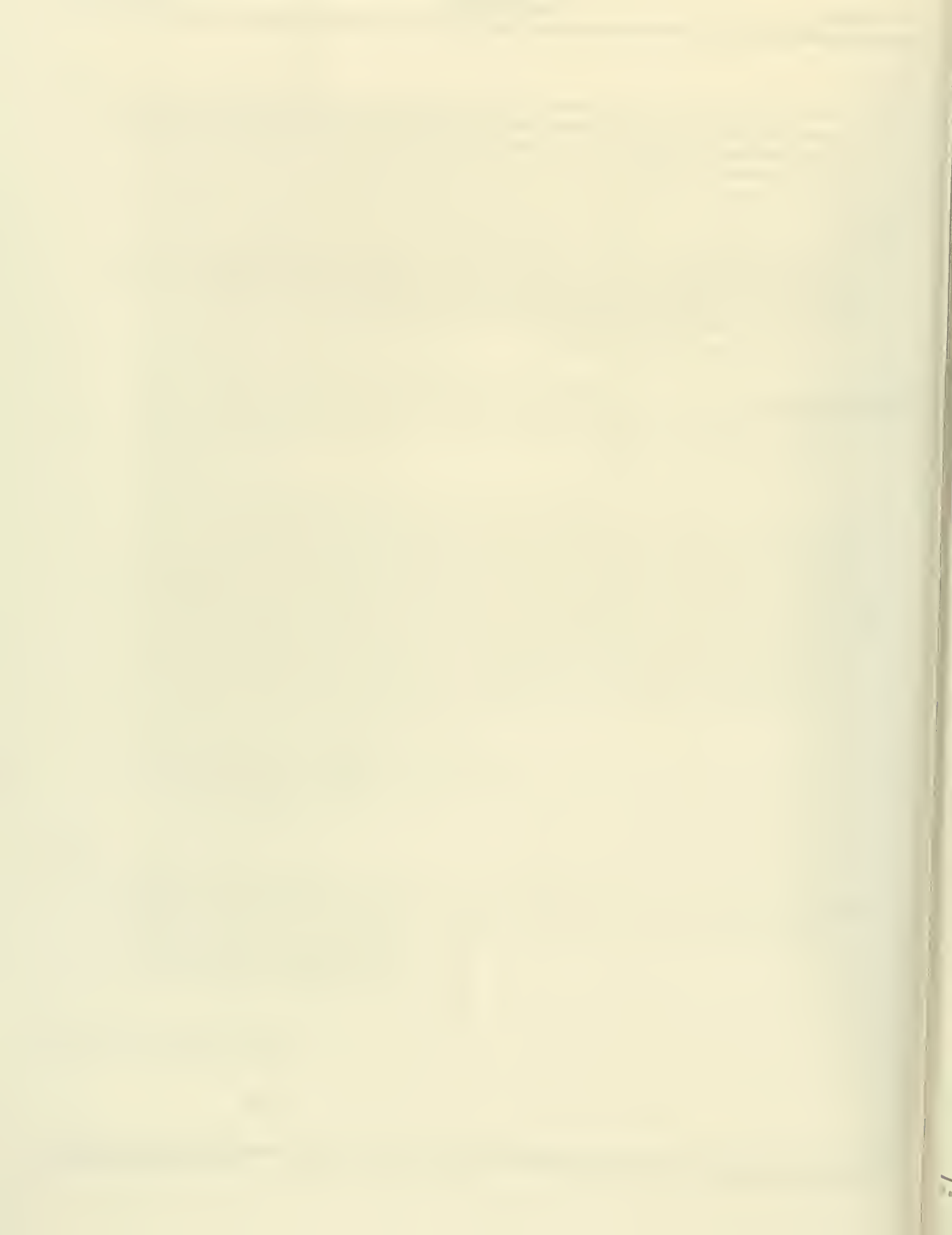
Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 12:06 p.m.





City and County of San Francisco

Meeting Agenda

Rules Committee

[All Committees]

SF Public Library

Govt. Information Center, 5th Flr.

ATTN: Michael Sherrod-Flores

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, June 09, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

JUN - 4 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

1. 031876 [Regulation of Permit Consultants commonly known as Permit Expeditors]
Supervisors Daly, Gonzalez

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.150 to impose registration and disclosure requirements on permit consultants.

11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.

1/16/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for comment.

1/22/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for Comment

1/22/04, REFERRED TO DEPARTMENT. Referred to Paul Maltzer for Environmental Review.

2/4/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ken Bruce, Budget Analyst's office; Bob Planthold; Ted Lakey, Deputy City Attorney; Anita Mayo; Pat Buscovich; Jeremy Paul; Jane Bell; Tony Sanchez-Corea; Ken Cochrane; Gary Bell; Alfred Sanchez; Val Adams; John Peterson; Henry Kamilowicz; Phil Fernandez; Amy Lee, Assistant Director, Department of Building Inspection; Lawrence Comfield, Chief Building Inspector.

2/4/04 Amendment of the whole bearing new title.

Continued to February 11, 2004 at 2:00 p.m.

2/4/04, CONTINUED.

2/5/04, REFERRED TO DEPARTMENT. Referred to Planning Department, Ethics Commission and Small Business Commission for comment.

2/6/04, RESPONSE RECEIVED. Paul Maltzer, the Environmental Review Officer, stated it does not require any environmental review under CEQA, as the registration and disclosure requirements proposed do not have any potential for physical effect on the environment. As such, the proposal is not a project under CEQA and therefore no environmental review is required.

2/11/04, CONTINUED. Heard in committee. Speakers: Ed Harrington, Controller; Louis Louvan, DTIS; Frank Chiu, Director, Department of Building Inspection; Ted Lakey, Deputy City Attorney; Ginny Vida, Ethics Commission; Bob Planthold, Ethics Commission; Pat Buscovich; Dipak Patel; Patricia Vaughey; Anita Mayo; Jeremy Paul; Tony Sanchez-Corea; Henry Kamilowicz; Amy Lee, Assistant Director, Deputy Building Inspection.

Supervisor Hall excused. Continued to March 3, 2004 at 9:30 a.m.

3/3/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Ed Harrington, Controller; Ted Lakey, Deputy City Attorney; Jeremy Paul; Anita Mayo; Amy Lee, Assistant Director, Department of Building Inspection; Ken Cochrane; Pam Harris; Debra Stein; Gary Bell.

3/3/04 Amendment of the whole bearing new title.

Continued to 2:00 p.m. on March 24, 2004

3/3/04, CONTINUED.

3/24/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Bevan Duffy; Ted Lakey, Deputy City Attorney; Frank Chiu, Department of Building Inspection; Mike Garcia, Ethics Commission; Anita Mayo; Randy Shaw; Ken Cochrane; Ken Cleveland, Tony Sanchez-Corea; Henry Kamilowicz; John Schlesinger; Alan Martinez; Pat Buscovich; Jeremy Paul; Tim Woloshyn.

3/24/04 Amendment of the Whole bearing same title.

Continued to 4/21/04.

3/24/04, CONTINUED AS AMENDED.

4/21/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Monique Zmuda, Controller's Office; Anita Mayo; John Schlesinger; Bruce Bonnecker; Mike Garcia, Ethics Commission; Henry Kamilowicz; Sue Hestor; Tim Woloshyn; Jeremy Paul.

4/21/04, CONTINUED TO CALL OF THE CHAIR AS AMENDED.

2. 040539 [Requirements for Department of Building Inspection Permit Tracking System]
Supervisors Dufty, Ammiano, Gonzalez
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 78 to direct the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits.
- 4/27/04, RECEIVED AND ASSIGNED to Rules Committee
5/12/04, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Kate Stacy, Deputy City Attorney, City Attorney's Office; Frank Chiu, Department of Building Inspection, Supervisor Bevan Dufty, Sponsor
- 5/19/04 Department of Building Inspection notified of May 26, 2004 meeting.
5/26/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Kate Stacy, Deputy City Attorney; Henry Karnilowicz; Frank Chiu, Department of Building Inspection; Richard Robinson
5/26/04 Amendment of the Whole bearing same title
Continued to 6/9/04
5/26/04, CONTINUED AS AMENDED

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

3. 040632 [Settlement of Lawsuit - Michael Stamper]
Ordinance authorizing settlement of the lawsuit filed by Michael Stamper against the City and County of San Francisco for \$157,500.00; the lawsuit was filed on October 31, 2003 in San Francisco Superior Court, Case No. 425-974, entitled Michael Lavon Stamper v. City and County of San Francisco, et al. (City Attorney)
- 5/17/04, RECEIVED AND ASSIGNED to Rules Committee.
4. 040634 [Settlement of Lawsuit]
Ordinance ratifying the April 15, 2002 settlement of the lawsuit filed by City and County of San Francisco against Glometro Inc. and Nancy Ho Belli; the April 15, 2002 settlement agreement set forth various terms and required defendants to pay the amount of \$140,000; the lawsuit was filed on April 5, 2001 in San Francisco Superior Court, Case No. 320-263; entitled City and County of San Francisco et al. v. Glometro Inc., Nancy Ho Belli, et al. (City Attorney)
- 5/17/04, RECEIVED AND ASSIGNED to Rules Committee

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides]

Supervisor Gonzalez

Charter amendment (First Draft) by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 60 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004. 5/21/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator, Director Administrative Services; Planning EIR Officer, Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment, Department of the Environment, Clerk of the Board, Budget Analyst's Office.

040641 [Charter Amendment - Office of Economic Analysis; Economic Development Plan]

Supervisor Alioto-Pier

Charter amendment (First Draft) by adding Section 2.118, to create an Office of Economic Analysis under the Board of Supervisors, and by adding Section 16.124, to require the Office of Economic Analysis to prepare an annual Economic Development Plan for the City.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator, Director Administrative Services; Planning, Environmental Review Officer, Clerk of the Board, Budget Analyst's Office.

040642 [Charter Amendment - Authorizing health plans for City residents]

Supervisor Daly

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator, Director Administrative Services; Planning, Environmental Review Officer; Department of Human Resources; Health Service System Board; Clerk of the Board; Budget Analyst's Office

**040643 [Charter Amendment - Health Service System]
Supervisor Daly**

Charter amendment (First Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter and adding Section A8.428-1 to Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board; replace the City Attorney seat on the Health Service Board with an elected seat; adjust the employers' contribution for health benefits; modify the application of the credit for Medicare premiums; and increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Retirement SFERS; Clerk of the Board; Budget Analyst's Office; Department of Human Resources; Health Service System Board

**040644 [Charter Amendment - Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance;
Violence Prevention Programs]
Supervisors Daly, Maxwell**

Charter amendment (First Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to the following depts. for review and comment: District Attorney; Public Defender, SF Police Chief, Sheriff, President Police Commission; Chief Adult Probation Officer, Juvenile Probation; Youth Commission; Clerk of the Board; Budget Analyst's Office, Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning Environmental Review Officer.

**040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]
Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick**

Charter amendment (First Draft) by adding Section 13.111 to authorize San Francisco residents 18 years of age or older who have children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office; Dept. of Elections; San Francisco Unified School District.

040646 [Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]

Supervisor Hall

Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; SFERS; Clerk of the Board; Budget Analyst's Office.

040647 [Charter Amendment - Board to set annual salary for Director of MTA, subject to \$250,000 cap; Board to approve Director's contract; Board's line item veto of expenditures and proposed fares in MTA budget; Controller to administer MTA quality review]

Supervisor Sandoval

Charter amendment (First Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to Controller, Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer. Municipal Transportation Agency; Budget Analyst's Office; Clerk of the Board

040648 [Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data percentages of each]

Supervisor Daly

Charter amendment (First Draft) by adding Section 4.135 to establish the Residential Rent Stabilization and Arbitration Board in the Charter, to increase its membership from five to seven members, to provide that the Mayor will appoint three members and the Board of Supervisors will appoint four members, and to allocate the seven seats among renters and non-renters according to the percentages of renter occupied housing units and owner occupied housing units in San Francisco as reported in the ten-year federal census.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to the Controller, Mayor, City Attorney, Ethics Commission; City Administrator; Director, Administrative Services; Planning Environmental Review Officer; Rent Stabilization Board; Clerk of the Board; Budget Analyst's Office.

- 040649** [Charter Amendment - Requiring SFUSD to either appoint a controller or agree to use the City Controller for specified fiscal oversight functions in order to continue to receive funding for the Public Education Enrichment Fund]
Supervisors Ammiano, Daly
Charter amendment (First Draft) by amending Section 16.123-2 to require as a condition of continuing to receive funding from the Public Education Enrichment Fund that the San Francisco Unified School District agree to form a committee of School District, City, and State officials that would send the Board of Education three nominees from which the Board could either select a person to serve as School District Controller, or alternatively, enter into a contract with the City to have the City Controller perform specified fiscal oversight functions.
- 5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer, Clerk of the Board; Budget Analyst's Office; San Francisco Unified School District.
- 040685** [Establishing and administering a Supplemental Tax Deferred Plan]
Supervisor Sandoval
Ordinance adding Sections 16.62 through 16.62-3 to the San Francisco Administrative Code.
- 5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.
6/3/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation
- 040687** [Deadlines for correction and review of ballot arguments]
Supervisor Peskin
Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election.
- 5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.
- 040688** [Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]
Supervisor Daly
Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.
- 5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, June 09, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Matt Gonzalez.

Members Absent: Michela Alioto-Pier.

MEETING CONVENED

The meeting convened at 10:15 a.m.

DOCUMENTS DEPT.

JUN 11 2004

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR AGENDA

031876 [Regulation of Permit Consultants commonly known as Permit Expeditors]**Supervisors Daly, Gonzalez**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.150 to impose registration and disclosure requirements on permit consultants.

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1/22/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for Comment

1/22/04, REFERRED TO DEPARTMENT. Referred to Paul Maltzer for Environmental Review.

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2/4/04 Amendment of the whole bearing new title.

Continued to February 11, 2004 at 2:00 p.m.

2/4/04, CONTINUED.

2/5/04, REFERRED TO DEPARTMENT. Referred to Planning Department, Ethics Commission and Small Business Commission for comment.

2/6/04, RESPONSE RECEIVED. Paul Maltzer, the Environmental Reveiw Officer, stated it does not require any environmental review under CEQA, as the registration and disclosure requirements proposed do not have any potential for physical effect on the environment. As such, the proposal is not a project under CEQA and therefore no environmental review is required

2/11/04, CONTINUED. Heard in committee. Speakers: Ed Harrington, Controller; Louis Louvan, DTIS; Frank Chiu, Director, Department of Building Inspection; Ted Lakey, Deputy City Attorney; Ginny Vida, Ethics Commission; Bob Planthold. Ethics Commission; Pat Buscovich; Dipak Patel; Patricia Vaughney; Anita Mayo; Jeremy Paul; Tony Sanchez-Corea; Henry Karnilowicz; Amy Lee, Assistant Director, Deputy Building Inspection. Supervisor Hall excused. Continued to March 3, 2004 at 9:30 a.m.

3/3/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Ed Harrington, Controller; Ted Lakey, Deputy City Attorney; Jeremy Paul; Anita Mayo; Amy Lee, Assistant Director, Department of Building Inspection; Ken Cochrane; Pam Harris; Debra Stein; Gary Bell.

3/3/04 Amendment of the whole bearing new title.

Continued to 2:00 p.m. on March 24, 2004.

3/3/04, CONTINUED.

3/24/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Bevan Duffy; Ted Lakey, Deputy City Attorney; Frank Chiu, Department of Building Inspection; Mike Garcia, Ethics Commission; Anita Mayo; Randy Shaw; Ken Cochrane; Ken Cleaveland; Tony Sanchez-Corea; Henry Karnilowicz; John Schlesinger; Alan Martinez; Pat Buscovich; Jeremy Paul; Tim Woloshyn.

3/24/04 Amendment of the Whole bearing same title.

Continued to 4/21/04

3/24/04, CONTINUED AS AMENDED.

4/21/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Monique Zmuda, Controller's Office; Anita Mayo; John Schlesinger; Bruce Bonnecker; Mike Garcia, Ethics Commission; Henry Karnilowicz; Sue Hestor; Tim Woloshyn; Jeremy Paul.

4/21/04, CONTINUED TO CALL OF THE CHAIR AS AMENDED.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Tony Sanchez-Corea; Anita Mayo; Mike Garcia, Ethics Commission; Pat Buscovich; Henry Karnilowicz; Ken Cochrane; Ahmad Larizaden; Bruce Bonnecker; Jeremy Paul; Tim Woloshyn.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040539 [Requirements for Department of Building Inspection Permit Tracking System]**Supervisors Dufty, Ammiano, Gonzalez, Maxwell**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 78 to direct the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee

5/12/04, CONTINUED TO CALL OF THE CHAIR Heard in Committee. Speakers: Kate Stacy, Deputy City Attorney, City Attorney's Office; Frank Chiu, Department of Building Inspection; Supervisor Bevan Dufty, Sponsor.

5/19/04: Department of Building Inspection notified of May 26, 2004 meeting.

5/26/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Kate Stacy, Deputy City Attorney; Henry Karnilowicz; Frank Chiu, Department of Building Inspection; Richard Robinson

5/26/04 Amendment of the Whole bearing same title.

Continued to 6/9/04

5/26/04, CONTINUED AS AMENDED.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Tony Sanchez-Corea; Anita Mayo; Mike Garcia, Ethics Commission; Pat Buscovich; Henry Karnilowicz; Ken Cochrane; Ahmad Larizaden; Bruce Bonnecker; Jeremy Paul; Tim Woloshyn.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

LITIGATION**Conference with City Attorney**

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040632 [Settlement of Lawsuit - Michael Stamper]

Ordinance authorizing settlement of the lawsuit filed by Michael Stamper against the City and County of San Francisco for \$157,500.00; the lawsuit was filed on October 31, 2003 in San Francisco Superior Court, Case No. 425-974, entitled Michael Lavon Stamper v. City and County of San Francisco, et al. (City Attorney)

5/17/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040634 [Settlement of Lawsuit]

Ordinance ratifying the April 15, 2002 settlement of the lawsuit filed by City and County of San Francisco against Glometro Inc. and Nancy Ho Belli; the April 15, 2002 settlement agreement set forth various terms and required defendants to pay the amount of \$140,000; the lawsuit was filed on April 5, 2001 in San Francisco Superior Court, Case No. 320-263; entitled City and County of San Francisco et al. v. Glometro Inc., Nancy Ho Belli, et al. (City Attorney)

5/17/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

ADJOURNMENT

The meeting adjourned at 11:48 a.m.

CITY AND COUNTY



OF SAN FRANCISCO

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

June 3, 2004

TO: Rules Committee

FROM: Budget Analyst

SUBJECT: June 9, 2004 Rules Committee Meeting

DOCUMENTS DEPT.

JUN - 7 2004

Item 1 - File 03-1876

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Note: This item was continued by the Rules Committee at its meeting of April 21, 2004. This report does not include further amendments made since the Rules Committee meeting on April 21, 2004.

Department: Ethics Commission

Item: Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.150 to impose registration and disclosure requirements on Permit Consultants.

Description: Under the proposed ordinance, a Permit Consultant, commonly known as a Permit Expediter, is defined as any person or entity that receives or is promised economic consideration equaling \$1,000 or more in a calendar year to assist a client in obtaining or opposing approval of a permit issued by the City and County of San Francisco through 1) providing information and advice regarding the permit application process, 2) preparing, submitting or changing a permit application, 3) paying permit application fees on behalf of the client, 4) communicating with City departments such as the Planning Department regarding the contents, procedure, or status of a permit

application, 5) conveying the permit application through the requisite stages of the permit issuance process, 6) requesting that a permit be denied for purposes of filing an appeal, and 7) representing or assisting a client in an appeal of a permit that has been denied by a City department.

Currently, the City does not have any requirements imposed on Permit Consultants to publicly disclose their identity or extent of efforts to obtain permits issued by the City on behalf of clients. The proposed ordinance would amend the Campaign and Governmental Conduct Code by adding a new Article V, section 5.100 to 5.150 which would:

- Require each Permit Consultant to (a) initially register, (b) reregister annually, and (c) file a termination statement with the Ethics Commission. The Permit Consultant would also be required to pay fees to the Ethics Commission of 1) an amount not to exceed \$300 at the time of the initial registration and an amount not to exceed \$300 annually at the time of each reregistration, and 2) \$50 annually for each client represented.
- Require the Permit Consultant to verify the accuracy and completeness of information provided to the Ethics Commission, retain related books, papers and documents for five years, and file a statement of termination with the Ethics Commission when a registered individual providing permit consulting services no longer provides such services.
- Require the Ethics Commission to amend current lobbyist forms to permit disclosure on those forms of information required under the proposed ordinance.
- Require all City departments, officers and employees to treat all permit applicants the same, and review, consider and process all applications and permit related materials in the order in which the materials are received, unless there is a written finding of a public policy basis for not doing so. The Ethics Commission is required to adopt a code of conduct for permit processing, which shall be distributed to related City departments and officers.

- Require the Ethics Commission to provide forms to Permit Consultants for the reporting of all information, issue registration numbers, provide copies of the proposed ordinance and related materials to Permit Consultants, gather registration and reregistration information and issue compiled reports to the Board of Supervisors and the Mayor annually, preserve records, provide advice, investigate complaints and enforce against violations, and adopt reasonable and necessary rules and regulations for the implementation of the proposed ordinance.
- Impose a fine of \$50 per day on any Permit Consultant for each day that the Permit Consultant fails to initially register and fails to reregister annually with the Ethics Commission after the filing deadline of the original registration statement or report required under the subject ordinance. The registration and reregistration statement or report would include such information as business name, name of employees formerly employed by the City, type of permits sought, and economic consideration promised or received by client.
- Impose civil action liabilities upon any Permit Consultant, up to \$1,000 per violation, for providing permit consulting services without registering or complying with the reporting requirements, as set forth in this proposed ordinance.
- Authorize the Ethics Commission to create, adopt regulations for, and require a Permit Consultant to file, an electronic copy of the original statement or report. The subject ordinance also imposes a fine of \$50 per day for late electronic filing.

According to Mr. Edward Olsen of the City Attorney's Office, the purpose the subject ordinance is to impose reasonable restrictions and disclosure requirements on Permit Consultants that will protect the public's confidence in the integrity of the permitting processes of City departments.

Fiscal Impact:

Attachment I, provided by Ms. Mabel Ng of the Ethics Commission, details the estimated administrative costs, not including electronic filing costs (see Comment No. 3), associated with implementing the proposed

ordinance. Such costs are estimated at \$37,445 in the first year, including initial start-up costs, and \$24,085 annually based on FY 2003-2004 salary and benefit levels. Ms. Ng reports that such costs will be included in the Department's future annual budgets. Attachment II, provided by Ms. Ng, is a detailed description of the related tasks supporting the cost estimate.

Comments:

1. According to Ms. Ng, the Ethics Commission estimates that there are currently approximately 20 Permit Consultants who would be affected by the proposed ordinance, and would be required to register/reregister, and report to the Ethics Commission prior to the January 1st deadline annually. Ms Ng estimates that each of the 20 Permit Consultants has an average of 10 clients. Based on an estimated 20 Permit Consultants, having an average of 10 clients each, the Ethics Commission estimates that up to \$16,000 annually could be generated from the proposed fees paid, based on a registration and reregistration fee of \$300, as shown in the table below.

		Annual Fees	Estimated Annual Revenue
Estimated Number of Permit Consultants	20	\$300	\$6,000
Estimated Number of Clients (10 per Consultant)	200	50	10,000
Total			\$16,000

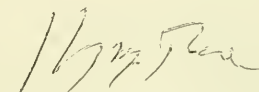
2. According to Ms. Ng, should the actual number of Permit Consultants and/or Clients of Permit Consultants be greater than the estimates shown in the above table, the Ethics Commission does not anticipate that the total estimated administrative cost of \$37,445 in the first year, and \$24,085 annually thereafter, will increase significantly.

3. Ms. Ng states that the estimated first year costs of \$37,445 to implement the proposed ordinance does not include the costs to enable the electronic filing of

statements and reports. According to Ms. Ng, enabling electronic filing would require the development of new software to capture specific information requested in the proposed ordinance. Ms. Ng reports that the cost to develop such software to enable electronic filing would range between \$50,000 to \$70,000 depending on the number of fields required in the database. According to Ms. Ng, the Ethics Commission currently has no plans to implement electronic filing.

Recommendation:

Approval of the proposed ordinance is a policy decision for the Board of Supervisors.

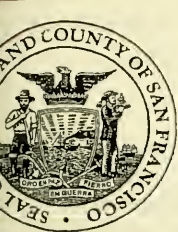


Harvey M. Rose

cc: Supervisor Maxwell
Supervisor Alioto-Pier
President Gonzalez
Clerk of the Board
Controller
Katie Petrucione
Ted Lakey

Attachment 1
Estimated Costs of Implementing the Permit Expediter Program
Based on 20 Registered Persons

Task	Work Hours
Develop and Adopt a Permit Processing Code of Conduct	80 hours (1 st year)
Development of Reporting Forms, Instruction Manual and Regulations	170 (1 st year; thereafter, 10 hours)
Advice-Giving	100 (1 st year; thereafter, 50 hours)
Notification/Mailing	20
Intake/Receipt	10
Facial Audit	25
Report: Production/Distribution	50 (1 st year; thereafter 40 hours)
Bookkeeping	40
Press Releases	10
Investigations	200
Totals	705 hours @ \$37.11 (hourly salary) = \$26,162.55 plus 20% fringes = \$31,395.06 1 st year 405 hours @ \$37.11 (hourly salary) = \$15,029.55 plus 20% fringes = \$18,035.46 subsequent years
Other Costs	\$6,050 (equipment, supplies, reproduction, mailing)
Grand Total	\$37,445.06 1 st year; \$24,085.46 subsequent years



ETHICS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Date: March 16, 2004

To: Leanne Nhan
Office of the Budget Analyst

From: Mabel Ng, Deputy Executive Director

Re: Attachment II
Budget Analyst Questions for Item #03-1876 As Amended

Estimated Costs of Implementing the Permit Consultant Program Based on 20 Registered Persons

1. Development and Adoption of Permit Processing Code of Conduct: The amended legislation requires the Ethics Commission to adopt a code of conduct for permit consultants no later than 60 days after the effective date of the new law. Staff anticipates that it be required to convene an interested persons meeting regarding the provisions of the code, meet with departments that issue permits such as the Department of Building Inspection and Entertainment Commission, and hold at least one public hearing on the proposed code. Staff estimates that it will take approximately 80 hours to develop the code.
2. Development of Registration Forms and Materials: The legislation requires that the Ethics Commission develop forms for the reporting of all information required under the proposed ordinance. The Commission may also adopt regulations to clarify the new law. Staff estimates that it will take approximately 160 hours to develop the forms, instruction manual and other materials, including regulations, related to the permit consultant program. This work will be performed by the Deputy Executive Director, who is a class 1824. However, once the forms and materials are developed, staff anticipates that the annual costs to update the forms and materials will be considerably less, approximately 10 hours per year. These tasks could be performed by the Senior Administrative Analyst.

The amended version exempts from the proposed ordinance individuals and entities that register as lobbyists under Article II of the San Francisco Campaign and Governmental Conduct Code if such individuals and entities file all necessary forms and disclose on their lobbying forms all the information that is required to be disclosed by the proposed legislation. The amendment directs the Commission to amend the current lobbyist forms. Staff estimates that it may

take an additional ten hours to revise such forms and the lobbyist instruction manual.

3. Advice-Giving: This task requires giving oral and/or written advice. Routine questions can be handled with straightforward answers over the phone. All other questions must be submitted in writing. Responding to requests for written advice involves conducting legal research, conferring with counsel, drafting a response and referring it to the City Attorney and District Attorney for their concurrence or non-concurrence. This is very time consuming, and there are frequent requests for written advice when a new law is implemented. Written advice is provided by the Deputy Executive Director; the Senior Administrative Analyst may provide oral advice.

The amended version adds language that (1) requires officers and employees of the City to treat all permit applications the same; (2) provides that intentional preferential treatment of any permit applicant and/or the applicant's representatives by any City officer or employee may subject the officer or employee to disciplinary action for official misconduct; (3) requires City officers and employees to review, consider and process all applications, revisions, corrections and other permit-related material in the order in which that type of material is received unless there is a written finding of a public policy basis for not doing so; and (4) requires City departments that issue permits to adopt written guidelines to determine when there is a public policy basis for processing permit materials out of order. Staff estimates that these requirements will increase the hours of advice-giving, at least in the initial year, from 50 to 100 hours. Alternatively, the Commission may adopt regulations to clarify such terms as "intentional preferential treatment" and "written finding of a public policy basis," and to provide guidance to the adoption of written guidelines for when there is a public policy basis for processing permit material out of order.

3. Notification/Mailing: This task requires drafting and sending letters to permit consultants to inform them about registration requirements and filing deadlines. In addition, staff must notify and issue follow-up notices to those permit consultants who have failed to register or pay their annual re-registration fees and client fees.
4. Intake/Receipt: This task requires date-stamping the reports, creating folders for each permit consultant, and copying and filing the reports in the both the public and back-office folders.
5. Facial Audit: This task requires reviewing the forms to check that all appropriate documents have been filed, noting whether any fees are required and have been submitted, and whether the appropriate signature is included. This task also requires carefully reviewing each permit consultant's report to determine if it meets the standard for sufficient specificity, notifying permit consultants of deficient filings, and following up to ensure that deficient filings are amended to comply with filing requirements.
6. Report: Production/Distribution: This task requires creating a report format, and compiling large portions of each permit consultant's filing into a report format, which includes tables and charts for that year's filings. Filings for each year are reviewed, and

figures are checked against previous filings. This task also involves duplicating and distributing the report to the Board of Supervisors, the Mayor, the appointing authorities, and interested parties, and posting the report to the Ethics Commission's web site.

7. Addition/Termination of Clients: This task requires copying and filing client registration and authorization forms, and conducting a facial audit and data entry check for tracking, payments and accounting. It also includes creating a chart for posting the information on our web site, and posting the information.
8. Bookkeeping: This task requires copying and depositing checks for permit consultants and client registration and re-registration fees and late fines. It also requires that tracking of revenues and generation of revenue estimates for the City's annual budget process.
9. Press Releases: This task involves drafting and faxing a press release to the media, City officials, and interested parties each time an annual summary report is issued.
10. Investigations: This task requires Commission staff to conduct inquiries and investigations into possible violations of the law, pursuant to Charter section C3.699-13 and the regulations adopted thereunder. The Commission's investigator is class 1823.

As discussed above, the amended version adds language that (1) requires officers and employees of the City to treat all permit applications the same; (2) provides that intentional preferential treatment of any permit applicant and/or the applicant's representatives by any City officer or employee may subject the officer or employee to disciplinary action for official misconduct; and (3) requires City officers and employees to review, consider and process all applications, revisions, corrections and other permit-related material in the order in which that type of material is received unless there is a written finding of a public policy basis for not doing so. In addition, the amended version provides that absent a written reason for not doing so, any officer or employee who intentionally fails to review, consider and process all permit application materials in the order in which they are received are subject to disciplinary action. Staff estimates that these requirements will increase the number of complaints that may be filed with the Ethics Commission, with a resultant increase in the number of hours devoted to investigations from 150 to 200.

11. Other Costs: These costs include overhead, such as maintenance and rental of our photocopiers (estimated at approximately 5 percent of yearly cost of \$12,000, or \$600 per year); DTIS work order for LAN support (5 percent of \$35,000 per year, or approximately \$1,750 per year); rental of office space (5 percent of \$70,000 per year, or approximately \$3500 per year); and paper and supplies (approximately \$200 per year).

Please note that the estimates are based on the \$37.11 hourly salary of a Class 1823 Senior Administrative Analyst, Step 5, position, which is the salary for the Commission's investigator. A class 1823 will be able to perform most of the administrative tasks as well as work on program-related investigations. However, written advice is handled by the Deputy Executive Director, a class 1824 position with a salary that is higher than the 1823 position.

**Anticipated Revenues Based on Fees Provided in Proposed Legislation
Based on 20 Registered Consultants and 10 Clients per Consultant**

Consultant/Client	Number	Fee	Revenue Generated
Permit Consultants	20	\$300	\$6,000
Clients	10 per consultant	\$50	\$10,000
Total			\$16,000

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City and County of San Francisco

All Committees]

Government Document Section

Main Library

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Monday, June 14, 2004

10:30 AM

City Hall, Room 263

Special Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

1. 040828 [Reducing the size of the Budget Committee to three members year-round]
Supervisor Gonzalez
Motion amending Rule 5.1 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to reduce the size of the Budget Committee to three members year-round.
6/8/04, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the Special Rules Committee meeting on June 14, 2004, at 10:30 a.m.

ADJOURNMENT

DOCUMENTS DEPT.

JUN 11 2004

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IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

- 040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides]**

Supervisor Gonzalez

Charter amendment (First Draft) by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 60 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004. 5/21/04. Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office.

- 040641 [Charter Amendment - Office of Economic Analysis; Economic Development Plan]**
Supervisor Alioto-Pier

Charter amendment (First Draft) by adding Section 2.118, to create an Office of Economic Analysis under the Board of Supervisors, and by adding Section 16.124, to require the Office of Economic Analysis to prepare an annual Economic Development Plan for the City.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04. Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office.

040642 [Charter Amendment - Authorizing health plans for City residents]**Supervisor Daly**

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller, Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services, Planning, Environmental Review Officer; Department of Human Resources; Health Service System Board; Clerk of the Board, Budget Analyst's Office

040643 [Charter Amendment - Health Service System]**Supervisor Daly**

Charter amendment (First Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter and adding Section A8.428-1 to Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board; replace the City Attorney seat on the Health Service Board with an elected seat; adjust the employers' contribution for health benefits; modify the application of the credit for Medicare premiums; and increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller, Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Retirement SFERS; Clerk of the Board; Budget Analyst's Office; Department of Human Resources, Health Service System Board.

040644 [Charter Amendment - Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance; Violence Prevention Programs]**Supervisors Daly, Maxwell**

Charter amendment (First Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to the following depts. for review and comment: District Attorney; Public Defender; SF Police Chief, Sheriff, President Police Commission; Chief Adult Probation Officer, Juvenile Probation; Youth Commission; Clerk of the Board; Budget Analyst's Office; Controller; Mayor; City Attorney; Ethics Commission; City Administrator, Director, Administrative Services; Planning Environmental Review Officer.

040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]**Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick**

Charter amendment (First Draft) by adding Section 13.111 to authorize San Francisco residents 18 years of age or older who have children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office; Dept. of Elections; San Francisco Unified School District.

040646 [Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]**Supervisor Hall**

Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; SFERS; Clerk of the Board; Budget Analyst's Office.

040647 [Charter Amendment - Board to set annual salary for Director of MTA, subject to \$250,000 cap; Board to approve Director's contract; Board's line item veto of expenditures and proposed fares in MTA budget; Controller to administer MTA quality review]**Supervisor Sandoval**

Charter amendment (First Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Municipal Transportation Agency; Budget Analyst's Office; Clerk of the Board

040648 [Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data percentages of each]

Supervisor Daly

Charter amendment (First Draft) by adding Section 4.135 to establish the Residential Rent Stabilization and Arbitration Board in the Charter, to increase its membership from five to seven members, to provide that the Mayor will appoint three members and the Board of Supervisors will appoint four members, and to allocate the seven seats among renters and non-renters according to the percentages of renter occupied housing units and owner occupied housing units in San Francisco as reported in the ten-year federal census.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 6/17/2004. 5/21/04 Referred to the Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning Environmental Review Officer; Rent Stabilization Board, Clerk of the Board; Budget Analyst's Office.

040649 [Charter Amendment - Requiring SFUSD to either appoint a controller or agree to use the City Controller for specified fiscal oversight functions in order to continue to receive funding for the Public Education Enrichment Fund]

Supervisors Ammiano, Daly

Charter amendment (First Draft) by amending Section 16.123-2 to require as a condition of continuing to receive funding from the Public Education Enrichment Fund that the San Francisco Unified School District agree to form a committee of School District, City, and State officials that would send the Board of Education three nominees from which the Board could either select a person to serve as School District Controller. or alternatively, enter into a contract with the City to have the City Controller perform specified fiscal oversight functions.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 6/17/2004. 5/21/04 Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator, Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office; San Francisco Unified School District

040685 [Establishing and administering a Supplemental Tax Deferred Plan]

Supervisor Sandoval

Ordinance adding Sections 16.62 through 16.62-3 to the San Francisco Administrative Code.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 6/24/2004.

6/3/04, REFERRED TO DEPARTMENT: Referred to Small Business Commission for comment and recommendation

040687 [Deadlines for correction and review of ballot arguments]

Supervisor Peskin

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 6/24/2004

040688 [Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]

Supervisor Daly

Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

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City and County of San Francisco ^{All Committees]}
Government Document Section
Main Library

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Monday, June 14, 2004

10:30 AM

City Hall, Room 263

Special Meeting

Members Present: Matt Gonzalez, Aaron Peskin.

Members Absent: Sophie Maxwell, Michela Alioto-Pier.

MEETING CONVENED

The meeting convened at 10:30 a.m. Board President Gonzalez appointed Supervisor Peskin to serve on the Rules Committee for today's meeting only.

REGULAR AGENDA

040828 [Reducing the size of the Budget Committee to three members year-round]
Supervisor Gonzalez

Motion amending Rule 5.1 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to reduce the size of the Budget Committee to three members year-round.

6/8/04. RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the Special Rules Committee meeting on June 14, 2004, at 10:30 a.m.

Heard in Committee. Speaker: Ted Lakey, Deputy City Attorney.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Gonzalez, Peskin
Absent: 2 - Maxwell, Alioto-Pier

DOCUMENTS DEPT.

JUN 16 2004

ADJOURNMENT

SAN FRANCISCO
PUBLIC LIBRARY

The meeting adjourned at 10:33 a.m.





City and County of San Francisco [Committees]
Government Document Section
Main Library

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, June 16, 2004

11:00 AM

City Hall, Room 263

Rescheduled Meeting

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- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
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AGENDA CHANGES

DOCUMENTS DEPT.

JUN 11 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

1. 040771 [Appointment - Bicycle Advisory Committee]
Hearing to consider appointing one member to the Bicycle Advisory Committee.

Vacant seat, succeeding Cynthia Powell, resignation, seat 9, must be a nominee of District 9 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

6/2/04, RECEIVED AND ASSIGNED to Rules Committee

1 seat/1 applicant

Francisco Hernandez, seat 9

2. 040772 [Appointment - Commission on the Aging Advisory Council]
Hearing to consider appointing one member to the Commission on the Aging Advisory Council.

Vacant seat, succeeding Marylouise Lovett, term expired, seat 3, must be a nominee of District 10 Supervisor for the unexpired portion of a two-year term ending March 31, 2006.

6/2/04, RECEIVED AND ASSIGNED to Rules Committee

1 seat/1 applicant

Marylouise Lovett, seat 3

3. 040866 [Appointment - Bay Area Library and Information System Advisory Board]
Hearing to consider appointing one member to the Bay Area Library and Information System Advisory Board.

Vacant seat, succeeding Deborah Doyle, term expired, seat 1, must represent public at large and underserved residents for a two-year term ending June 30, 2006.

6/9/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/2 applicants

Nora Dowley and Peter Warfield, seat 1

4. 040867 [Appointment - Childcare Planning and Advisory Council]
Hearing to consider appointing one member to the Childcare Planning and Advisory Council.

Vacant seat, new appointment, seat 9, must be a nominee of District 9 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative". Initial term TBD. Subsequent terms 3 years.

6/9/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/1 applicant

Helen Lee, seat 9

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

5. 040664 [Settlement of Lawsuit - Joyce Vanman]
Ordinance authorizing settlement of the lawsuit filed by Joyce Vanman against the City and County of San Francisco for \$175,000; the lawsuit was filed on February 8, 2001 in San Francisco Superior Court, Case No. 318-756; entitled Joyce Vanman v. City and County of San Francisco. (City Attorney)

5/24/04, RECEIVED AND ASSIGNED to Rules Committee.

6. 040665 **[Settlement of Lawsuit - Jerry Cheng and Le Quan Phung]**
Ordinance authorizing settlement of the lawsuit filed by Jerry Cheng and Le Quan Phung against the City and County of San Francisco for \$29,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-620; entitled Jerry Cheng and Le Quan Phung, et al., v. City and County of San Francisco, et al; other material terms of said settlement are each party to bear their own fees and expenses. (City Attorney)

5/24/04, RECEIVED AND ASSIGNED to Rules Committee.

7. 040697 **[Settlement of Lawsuit - Caleb Mather]**
Ordinance authorizing settlement of the lawsuit filed by Caleb Mather against the City and County of San Francisco for \$45,000; the lawsuit was filed on July 10, 2002 in San Francisco Superior Court, Case No. 410-262; entitled Caleb Mather, et al., v. City and County of San Francisco, et al. (City Attorney)

5/20/04, RECEIVED AND ASSIGNED to Rules Committee.

8. 040709 **[Dismissal of Lawsuit - Scott Co. of California, et al.]**
Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al. (City Attorney)

5/28/04, RECEIVED AND ASSIGNED to Rules Committee

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

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LEGISLATION UNDER THE 30-DAY RULE**(Not to be considered at this meeting)**

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides]

Supervisor Gonzalez

Charter amendment (First Draft) by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 60 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004 5/21/04 Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer, Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office.

040641 [Charter Amendment - Office of Economic Analysis; Economic Development Plan]
Supervisor Alioto-Pier

Charter amendment (First Draft) by adding Section 2.118, to create an Office of Economic Analysis under the Board of Supervisors, and by adding Section 16.124, to require the Office of Economic Analysis to prepare an annual Economic Development Plan for the City.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04. Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office.

**040642 [Charter Amendment - Authorizing health plans for City residents]
Supervisor Daly**

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services, Planning, Environmental Review Officer; Department of Human Resources; Health Service System Board, Clerk of the Board, Budget Analyst's Office

**040643 [Charter Amendment - Health Service System]
Supervisor Daly**

Charter amendment (First Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter and adding Section A8.428-1 to Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board; replace the City Attorney seat on the Health Service Board with an elected seat; adjust the employers' contribution for health benefits; modify the application of the credit for Medicare premiums; and increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04: Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services, Planning, Environmental Review Officer; Retirement SFERS; Clerk of the Board, Budget Analyst's Office; Department of Human Resources, Health Service System Board

**040644 [Charter Amendment - Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance;
Violence Prevention Programs]
Supervisors Daly, Maxwell**

Charter amendment (First Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to the following depts. for review and comment: District Attorney; Public Defender, SF Police Chief, Sheriff; President Police Commission, Chief Adult Probation Officer, Juvenile Probation, Youth Commission; Clerk of the Board; Budget Analyst's Office; Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services, Planning Environmental Review Officer.

040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]**Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick**

Charter amendment (First Draft) by adding Section 13.111 to authorize San Francisco residents 18 years of age or older who have children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office; Dept. of Elections; San Francisco Unified School District.

040646 [Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]**Supervisor Hall**

Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; SFERS; Clerk of the Board; Budget Analyst's Office.

040647 [Charter Amendment - Board to set annual salary for Director of MTA, subject to \$250,000 cap; Board to approve Director's contract; Board's line item veto of expenditures and proposed fares in MTA budget; Controller to administer MTA quality review]**Supervisor Sandoval**

Charter amendment (First Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Municipal Transportation Agency; Budget Analyst's Office; Clerk of the Board.

- 040648 [Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data percentages of each]**

Supervisor Daly

Charter amendment (First Draft) by adding Section 4.135 to establish the Residential Rent Stabilization and Arbitration Board in the Charter, to increase its membership from five to seven members, to provide that the Mayor will appoint three members and the Board of Supervisors will appoint four members, and to allocate the seven seats among renters and non-renters according to the percentages of renter occupied housing units and owner occupied housing units in San Francisco as reported in the ten-year federal census.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to the Controller, Mayor, City Attorney, Ethics Commission, City Administrator, Director, Administrative Services, Planning Environmental Review Officer, Rent Stabilization Board, Clerk of the Board, Budget Analyst's Office

- 040649 [Charter Amendment - Requiring SFUSD to either appoint a controller or agree to use the City Controller for specified fiscal oversight functions in order to continue to receive funding for the Public Education Enrichment Fund]**

Supervisors Ammiano, Daly

Charter amendment (First Draft) by amending Section 16.123-2 to require as a condition of continuing to receive funding from the Public Education Enrichment Fund that the San Francisco Unified School District agree to form a committee of School District, City, and State officials that would send the Board of Education three nominees from which the Board could either select a person to serve as School District Controller, or alternatively, enter into a contract with the City to have the City Controller perform specified fiscal oversight functions.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to Controller, Mayor, City Attorney, Ethics Commission, City Administrator, Director Administrative Services, Planning, Environmental Review Officer, Clerk of the Board, Budget Analyst's Office, San Francisco Unified School District

- 040685 [Establishing and administering a Supplemental Tax Deferred Plan]**

Supervisor Sandoval

Ordinance adding Sections 16.62 through 16.62-3 to the San Francisco Administrative Code.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004

6/3/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation

- 040687 [Deadlines for correction and review of ballot arguments]**

Supervisor Peskin

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004

040688 [Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]

Supervisor Daly

Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

6/8/04, SUBSTITUTED. Supervisor Daly submitted a substitute Motion bearing same title.

6/8/04, ASSIGNED to Rules Committee.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

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City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Monday, June 21, 2004

11:00 AM

Legislative Chamber - Second Floor

Special Meeting

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AGENDA CHANGES

REGULAR AGENDA

1. 040644 [Charter Amendment - Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance; Violence Prevention Programs]

Supervisors Daly, Maxwell

Charter amendment (First Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.

(Fiscal impact.)

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2. **040648** **[Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data percentages of each]**

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3. **040642** **[Charter Amendment - Authorizing health plans for City residents]**

Supervisor Daly

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

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4. **040643** **[Charter Amendment - Health Service System]**

Supervisor Daly

Charter amendment (First Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter and adding Section A8.428-1 to Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board; replace the City Attorney seat on the Health Service Board with an elected seat; adjust the employers' contribution for health benefits; modify the application of the credit for Medicare premiums; and increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator, Director Administrative Services; Planning, Environmental Review Officer; Retirement SFERS; Clerk of the Board; Budget Analyst's Office; Department of Human Resources; Health Service System Board.

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IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE**(Not to be considered at this meeting)**

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

**040685 [Establishing and administering a Supplemental Tax Deferred Plan]
Supervisor Sandoval**

Ordinance adding Sections 16.62 through 16.62-3 to the San Francisco Administrative Code.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004

6/3/04, REFERRED TO DEPARTMENT Referred to Small Business Commission for comment and recommendation.

**040687 [Deadlines for correction and review of ballot arguments]
Supervisor Peskin**

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004

- 040688 [Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]
Supervisor Daly

Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

(Fiscal impact.)

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 6/24/2004.

6/8/04, SUBSTITUTED. Supervisor Daly submitted a substitute Motion bearing same title.

6/8/04, ASSIGNED to Rules Committee.

6/14/04, REFERRED TO DEPARTMENT. Referred to Controller for review and comment.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

[All Committees]

SF Public Library

Govt. Information Center, 5th Flr.

ATTN: Michael Sherrod-Flores

Clerk: Linda Laws

Monday, June 21, 2004

11:00 AM

Legislative Chamber - Second Floor

Special Meeting

Members Present: Sophie Maxwell, Matt Gonzalez, Chris Daly.

Members Absent: Michela Alioto-Pier.

MEETING CONVENED

The meeting convened at 11:10 a.m. Board President Gonzalez appointed Supervisor Daly to serve on the Rules Committee for today's meeting only.

REGULAR AGENDA

040644 [Charter Amendment - Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance; Violence Prevention Programs]

Supervisors Daly, Maxwell

Charter amendment (First Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to the following depts for review and comment: District Attorney; Public Defender, SF Police Chief, Sheriff, President Police Commission, Chief Adult Probation Officer, Juvenile Probation; Youth Commission; Clerk of the Board; Budget Analyst's Office; Controller, Mayor; City Attorney, Ethics Commission; City Administrator, Director, Administrative Services; Planning Environmental Review Officer.

Heard in Committee. Speakers: John Goldberg, SFPD; Peg Stevenson, Controller's Office; Yarrow Cazer-Smith; Jeff Adachi, Public Defender; Male Speaker, District Attorney's Office; Lateefah Simon; Ted Lakey, Deputy City Attorney.

Continued to 6/30/04.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

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Charter amendment (Second Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.

(Fiscal impact.)

Continued to 6/30/04.

6/23/04: Second Draft referred to Departments for review.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Gonzalez, Daly

Absent: 1 - Alioto-Pier

040648 [Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data percentages of each] Supervisor Daly

Charter amendment (First Draft) by adding Section 4.135 to establish the Residential Rent Stabilization and Arbitration Board in the Charter, to increase its membership from five to seven members, to provide that the Mayor will appoint three members and the Board of Supervisors will appoint four members, and to allocate the seven seats among renters and non-renters according to the percentages of renter occupied housing units and owner occupied housing units in San Francisco as reported in the ten-year federal census.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to the Controller, Mayor; City Attorney, Ethics Commission; City Administrator, Director, Administrative Services; Planning Environmental Review Officer; Rent Stabilization Board; Clerk of the Board. Budget Analyst's Office.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Peg Stevenson, Controller's Office; Bruce Livingston; Helen Bellows; Lorraine Calcagni; Male Speaker; Margaret Clarson; Lora Traveler; Genevieve Callejo; Carolyn Cahn; Joe Grubb; Else Cardoni; Robert Pender; Michelle Horneff-Cohen; Mark Stoner; Terrie Frye; Peter Holden; Jose Morales; Lou Legnitto; Angelica Cabande; Bobby Dew; Ted Gullickson; Winston Montgomery; Female Speaker; Andrew Long; Tina DiRienso; John Baumgarner; Rick Galbreath; Brian Baysinger; Allen White; Brook Turner; Eihway Su; Louie Raia; Bill Qua; Sam Dodge; Jeffrey Leibovitz; Janan New; Chris Durazo; Donald Gibbs; Luis Perona; Maryanne Rainey; Randall Kalal; Susan King; Bruce Wolfe; Earl Brown; Otto Duffy.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Gonzalez, Daly

Absent: 1 - Alioto-Pier

040642 [Charter Amendment - Authorizing health plans for City residents] Supervisor Daly

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Department of Human Resources; Health Service System Board; Clerk of the Board; Budget Analyst's Office.

Heard in Committee. Speaker: Peg Stevenson, Controller's Office.

Continued to 6/30/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Gonzalez, Daly

Absent: 1 - Alioto-Pier

040643 [Charter Amendment - Health Service System]**Supervisor Daly**

Charter amendment (First Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter and adding Section A8.428-1 to Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board; replace the City Attorney seat on the Health Service Board with an elected seat; adjust the employers' contribution for health benefits; modify the application of the credit for Medicare premiums; and increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04. Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer. Retirement SFERS; Clerk of the Board; Budget Analyst's Office; Department of Human Resources; Health Service System Board

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Peg Stevenson; Jeffrey Colburn; John Madden; Nancy Gin; Dennis Krueger; Antoinette Candalerio.

6/21/04: Amendment of the Whole Bearing New Title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

File 040643 was amended (into a second draft) then divided. This amendment was then continued to June 30, 2004. The divided portion was created anew as File 040939 (as a first draft).

DIVIDED.

Charter amendment (Second Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board; replace the City Attorney seat on the Health Service Board with an elected seat; and modify the application of the credit for Medicare premiums.

Continued to the June 30, 2004 meeting.

CONTINUED AS DIVIDED by the following vote:

Ayes: 3 - Maxwell, Gonzalez, Daly

Absent: 1 - Alioto-Pier

040939 [Charter Amendment - Health Service System Benefits at Retirement]**Supervisor Daly**

Charter amendment (First Draft) by amending Section A8.428-1 of the Charter to increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

Continued to 6/30/04. Divided from File 040643 and continued to June 30, 2004.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Gonzalez, Daly

Absent: 1 - Alioto-Pier

ADJOURNMENT

The meeting adjourned at 2:55 p.m.



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

[All Committees]

SF Public Library

Govt. Information Center, 5th Flr.

ATTN: Michael Sherrod-Flores

Clerk: Linda Laws

Wednesday, June 16, 2004

11:00 AM

City Hall, Room 263

Rescheduled Meeting

Members Present: Sophie Maxwell, Matt Gonzalez.

Members Absent: Michela Alioto-Pier.

MEETING CONVENED

The meeting convened at 11:26 a.m.

REGULAR AGENDA

040771 [Appointment - Bicycle Advisory Committee]

Hearing to consider appointing one member to the Bicycle Advisory Committee.

Vacant seat, succeeding Cynthia Powell, resignation, seat 9, must be a nominee of District 9 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

6/2/04, RECEIVED AND ASSIGNED to Rules Committee.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040772 [Appointment - Commission on the Aging Advisory Council]

Hearing to consider appointing one member to the Commission on the Aging Advisory Council.

Vacant seat, succeeding Marylouise Lovett, term expired, seat 3, must be a nominee of District 10 Supervisor for the unexpired portion of a two-year term ending March 31, 2006.

6/2/04, RECEIVED AND ASSIGNED to Rules Committee.

Speakers: None.

Appointment of Marylouise Lovett, seat 3; recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

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Resolution appointing Marylouise Lovett, for the unexpired portion of a two-term ending March 31, 2006, to the Commission on the Aging Advisory Council.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040866 [Appointment - Bay Area Library and Information System Advisory Board]

Hearing to consider appointing one member to the Bay Area Library and Information System Advisory Board.

Vacant seat, succeeding Deborah Doyle, term expired, seat 1, must represent public at large and underserved residents for a two-year term ending June 30, 2006.

6/9/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Nora Dowley; Peter Warfield; Susan Hildreth, SF Public Library; Michael Rice; Miriam Pavis.

Appointment of Nora Dowley, seat 1; recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Nora Dowley, term ending June 30, 2006, to the Bay Area Library and Information System Advisory Board.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040867 [Appointment - Child Care Planning and Advisory Council]

Hearing to consider appointing one member to the Child Care Planning and Advisory Council.

1 seat being considered:

Vacant seat, Seat 9, must be a nominee of District 9 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative" for the unexpired portion of a three-year term ending December 31, 2005.

6/9/04, RECEIVED AND ASSIGNED to Rules Committee.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Helen Lee, for the unexpired portion of a three-year term ending December 31, 2005, to the Child Care Planning and Advisory Council.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

Report on Closed Session

040664 [Settlement of Lawsuit - Joyce Vanman]

Ordinance authorizing settlement of the lawsuit filed by Joyce Vanman against the City and County of San Francisco for \$175,000; the lawsuit was filed on February 8, 2001 in San Francisco Superior Court, Case No. 318-756; entitled Joyce Vanman v. City and County of San Francisco. (City Attorney)

5/24/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040665 [Settlement of Lawsuit - Jerry Cheng and Le Quan Phung]

Ordinance authorizing settlement of the lawsuit filed by Jerry Cheng and Le Quan Phung against the City and County of San Francisco for \$29,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-620; entitled Jerry Cheng and Le Quan Phung, et al., v. City and County of San Francisco, et al; other material terms of said settlement are each party to bear their own fees and expenses. (City Attorney)

5/24/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040697 [Settlement of Lawsuit - Caleb Mather]

Ordinance authorizing settlement of the lawsuit filed by Caleb Mather against the City and County of San Francisco for \$45,000; the lawsuit was filed on July 10, 2002 in San Francisco Superior Court, Case No. 410-262; entitled Caleb Mather, et al., v. City and County of San Francisco, et al. (City Attorney)

5/20/04, RECEIVED AND ASSIGNED to Rules Committee

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040709 [Dismissal of Lawsuit - Scott Co. of California, et al.]

Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al. (City Attorney)

5/28/04, RECEIVED AND ASSIGNED to Rules Committee.

Continued to 6/23/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote to not to disclose discussion to the public by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

ADJOURNMENT

The meeting adjourned at 12:12 p.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-3689

Wednesday, June 23, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

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Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

1. 040709 **[Dismissal of Lawsuit - Scott Co. of California, et al.]**
Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al. (City Attorney)
- 5/28/04, RECEIVED AND ASSIGNED to Rules Committee.
6/16/04, CONTINUED. Speakers: None.
Continued to 6/23/04.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

REGULAR AGENDA

2. 040881 **[Appointment, Planning Commission]**
Supervisor Gonzalez
Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2004.
6/15/04, RECEIVED AND ASSIGNED to Rules Committee.
3. 040882 **[Appointment, Planning Commission]**
Supervisor Gonzalez
Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2008.
6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

4. 040641 **[Charter Amendment - Office of Economic Analysis; Economic Development Plan]**
Supervisor Alioto-Pier
Charter amendment (First Draft) by adding Section 2.118, to create an Office of Economic Analysis under the Board of Supervisors, and by adding Section 16.124, to require the Office of Economic Analysis to prepare an annual Economic Development Plan for the City.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office
5. 040646 **[Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]**
Supervisor Hall
Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller; Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; SFERS; Clerk of the Board; Budget Analyst's Office.
6/15/04: Referred to Human Resources.
6. 040647 **[Charter Amendment - Board to set annual salary for Director of MTA, subject to \$250,000 cap; Board to approve Director's contract; Board's line item veto of expenditures and proposed fares in MTA budget; Controller to administer MTA quality review]**
Supervisor Sandoval
Charter amendment (First Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer, Municipal Transportation Agency; Budget Analyst's Office; Clerk of the Board.

7. 040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides; Board of Education compensation]
Supervisor Gonzalez
Charter amendment (Second Draft) to amend Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, 8.100, and Article XVII, and to add Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 60 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; delete the specific number of Board aides set in the Charter; set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.
- 5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office.
- 6/15/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute Charter Amendment (Second Draft) bearing new title. 6/15/04, ASSIGNED to Rules Committee. 6/17/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office; SFUSD.
8. 040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]
Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick
Charter amendment (First Draft) by adding Section 13.111 to authorize San Francisco residents 18 years of age or older who have children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.
- 5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office; Dept. of Elections; San Francisco Unified School District.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

040685 [Establishing and administering a Supplemental Tax Deferred Plan]**Supervisor Sandoval**

Ordinance adding Sections 16.62 through 16.62-3 to the San Francisco Administrative Code.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

6/3/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation

040687 [Deadlines for correction and review of ballot arguments]**Supervisor Peskin**

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

040688 [Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]**Supervisor Daly**

Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

(Fiscal impact.)

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004

6/8/04, SUBSTITUTED. Supervisor Daly submitted a substitute Motion bearing same title

6/8/04, ASSIGNED to Rules Committee.

6/14/04, REFERRED TO DEPARTMENT. Referred to Controller for review and comment

Meeting Procedures

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City and County of San Francisco [All Committees]

Meeting Minutes

Rules Committee

SF Public Library
Govt. Information Center, 5th Flr.
ATTN: Michael Sherrod-Flores

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, June 23, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Aaron Peskin, Bevan Duffy.

Members Absent: Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED

The meeting convened at 10:13 a.m. Board President Gonzalez appointed Supervisors Peskin and Duffy to serve on the Rules Committee for today's meeting only.

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Maxwell, Peskin, Duffy

Absent: 2 - Alioto-Pier, Gonzalez

DOCUMENTS DEPT.

JUN 25 2004

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PUBLIC LIBRARY

040709 [Dismissal of Lawsuit - Scott Co. of California, et al.]

Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al. (City Attorney)

5/28/04, RECEIVED AND ASSIGNED to Rules Committee.

6/16/04, CONTINUED, Continued to 6/23/04.

To Board as a Committee Report, Tuesday, June 29, 2004.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Maxwell, Peskin, Dufty

Absent: 2 - Alioto-Pier, Gonzalez

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 3 - Maxwell, Peskin, Dufty

Absent: 2 - Alioto-Pier, Gonzalez

REGULAR AGENDA

040881 [Appointment, Planning Commission]

Supervisor Gonzalez

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2004.

6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Christina Olague; Female Speaker; Curtis Eisenberger; Sylvia Alvarez-Lynch; Female Speaker; David Tornheim; Gordon Mar; Female Speaker; Supervisor Daly; James Collins; Marc Solomon; Female Speaker; Sam Dodge; Robert Williams; Male Speaker; Jen Yu; Sean Williams; Richard Marquez; Male Speaker; Male Speaker; Eileen Boken.

Continued to 6/29/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Peskin, Dufty

Absent: 2 - Alioto-Pier, Gonzalez

040882 [Appointment, Planning Commission]**Supervisor Gonzalez**

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2008.

6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

Speakers: None.

Continued to 6/29/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Peskin, Duffy

Absent: 2 - Alioto-Pier, Gonzalez

040641 [Charter Amendment - Office of Economic Analysis; Economic Development Plan]**Supervisor Alioto-Pier**

Charter amendment (First Draft) by adding Section 2.118, to create an Office of Economic Analysis under the Board of Supervisors, and by adding Section 16.124, to require the Office of Economic Analysis to prepare an annual Economic Development Plan for the City.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller, Mayor, City Attorney, Ethics Commission; City Administrator, Director Administrative Services, Planning, Environmental Review Officer, Clerk of the Board, Budget Analyst's Office.

Speakers: None.

Continued to 7/1/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Peskin, Duffy

Absent: 2 - Alioto-Pier, Gonzalez

040646 [Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]**Supervisor Hall**

Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller, Mayor, City Attorney, Ethics Commission; City Administrator, Director Administrative Services, Planning, Environmental Review Officer, SFERS, Clerk of the Board; Budget Analyst's Office
6/15/04 Referred to Human Resources.

Heard in Committee. Speakers: Clare Murphy, Retirement System; Supervisor Hall; Michael Hebel, SFPD; Joe Moriarty, SFPD; Cheryl Adams, Deputy City Attorney.

Continued to 7/1/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Peskin, Duffy

Absent: 2 - Alioto-Pier, Gonzalez

040647 [Charter Amendment - Board to set annual salary for Director of MTA, subject to \$250,000 cap; Board to approve Director's contract; Board's line item veto of expenditures and proposed fares in MTA budget; Controller to administer MTA quality review]

Supervisor Sandoval

Charter amendment (First Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Municipal Transportation Agency; Budget Analyst's Office; Clerk of the Board.

Heard in Committee. Speakers: Arthur Shell; Sylvia Alvarez-Lynch; Male Speaker; Ray Fisher; Ruth Williams Stewart; Marc Solomon; Male Speaker; Howard Strassner; Chris Flynn; David Tornheim. Continued to 7/1/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Peskin, Dufty

Absent: 2 - Alioto-Pier, Gonzalez

040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides; Board of Education compensation]

Supervisor Gonzalez

Charter amendment (Second Draft) to amend Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, 8.100, and Article XVII, and to add Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 60 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; delete the specific number of Board aides set in the Charter; set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office.

6/15/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute Charter Amendment (Second Draft) bearing new title.

6/15/04, ASSIGNED to Rules Committee. 6/17/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office; SFUSD.

Speakers: None.

Continued to 7/1/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Peskin, Dufty

Absent: 2 - Alioto-Pier, Gonzalez

040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]**Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick**

Charter amendment (First Draft) by adding Section 13.111 to authorize San Francisco residents 18 years of age or older who have children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04: Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office, Dept. of Elections; San Francisco Unified School District.

Heard in Committee. Speakers: Male Speaker; Ted Wong; Male Speaker; Frederico Fernandez; Jean Peppy; Sylvia Alvarez-Lynch; Chia Malick; Gizelle Merrick; David Chew.

Continued 7/1/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Peskin, Duffy

Absent: 2 - Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 12:24 p.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 29, 2004

9:30 AM

Legislative Chamber - Second Floor

Special Meeting

Note: Each item on the Consent or Regular agenda may include the following documents.

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

The Chair may entertain a motion to send the following items to the Board on Tuesday, June 29, 2004 as committee reports.

DOCUMENTS DEPT.

JUN 28 2004

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06-28-04 A1 11:16

1. **040881 [Appointment, Planning Commission]
Supervisor Gonzalez**

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2004.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040902.)

Transmittal date - June 15, 2004.

6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

6/23/04, CONTINUED. Heard in Committee. Speakers: Christina Olague; Female Speaker; Curtis Eisenberger; Sylvia Alvarez-Lynch; Female Speaker; David Tornheim; Gordon Mar; Female Speaker; Supervisor Daly; James Collins; Marc Solomon; Female Speaker; Sam Dodge; Robert Williams; Male Speaker; Jen Yu; Sean Williams; Richard Marquez; Male Speaker; Male Speaker; Eileen Boken.

Continued to 6/29/04.

2. **040902 [Appointment, Planning Commission]**

Motion rejecting the Board of Supervisors President's appointment of Christina Olague to the Planning Commission, term ending July 1, 2004. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040881.)

Transmittal date - June 15, 2004.

6/22/04, RECEIVED AND ASSIGNED to Rules Committee.

3. **040882 [Appointment, Planning Commission]
Supervisor Gonzalez**

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2008.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040900.)

Transmittal date - June 15, 2004.

6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

6/23/04, CONTINUED. Speakers: None.

Continued to 6/29/04.

4. 040900 [Appointment, Planning Commission]

Motion rejecting the Board of Supervisors President's appointment of Christina Olague to the Planning Commission, term ending July 1, 2008. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040882.)

Transmittal date - June 15, 2004.

6/22/04, RECEIVED AND ASSIGNED to Rules Committee.

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City and County of San Francisco Government Information Center
Main Library (41)
Meeting Minutes
Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Tuesday, June 29, 2004

9:30 AM

Legislative Chamber - Second Floor

Special Meeting

Members Present: Sophie Maxwell, Matt Gonzalez.

Members Absent: Michela Alioto-Pier.

MEETING CONVENED.

The meeting convened at 9:38 a.m.

DOCUMENTS DEPT.

JUN 30 2004

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR AGENDA

**040881 [Appointment, Planning Commission]
Supervisor Gonzalez**

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2004.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040902.)

Transmittal date - June 15, 2004.

6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

6/23/04, CONTINUED. Heard in Committee. Speakers: Christina Olague; Female Speaker; Curtis Eisenberger; Sylvia Alvarez-Lynch; Female Speaker; David Tornheim; Gordon Mar; Female Speaker; Supervisor Daly; James Collins; Marc Solomon; Female Speaker; Sam Dodge; Robert Williams; Male Speaker; Jen Yu; Sean Williams; Richard Marquez; Male Speaker; Male Speaker; Eileen Boken. Continued to 6/29/04.

Heard in Committee: Speakers: Luis Granados, Mission Economic Development Association; My Do, Mission Economic Development Association; Eileen Boken, Search Committee member; Iroshi Ovkuda, Richmond Community Association; Richie Hart, Residential Builders Association; Rick Galbreath; Adam Krueger; Lisa Pagon; Rene Soucedo, La Raza; Charlie Shamos; Peter Cohen; Brett Wheeler; Marc Solomon; Wendy Phillips; Christina Olague; Cheryl Adams, Deputy City Attorney, City Attorney's Office.

To Board as a Committee Report for June 29, 2004 meeting.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040902 [Appointment, Planning Commission]

Motion rejecting the Board of Supervisors President's appointment of Christina Olague to the Planning Commission, term ending July 1, 2004. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040881.)

Transmittal date - June 15, 2004.

6/22/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee: Speakers: Luis Granados, Mission Economic Development Association; My Do, Mission Economic Development Association; Eileen Boken, Search Committee member; Irosh Ovkuda, Richmond Community Association; Richie Hart, Residential Builders Association; Rick Galbreath; Adam Krueger; Lisa Pagon; Rene Soucedo, La Raza; Charlie Shamos; Peter Cohen; Brett Wheeler; Marc Solomon; Wendy Phillips; Christina Olague; Cheryl Adams, Deputy City Attorney, City Attorney's Office.

TABLED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040882 [Appointment, Planning Commission]

Supervisor Gonzalez

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2008.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040900.)

Transmittal date - June 15, 2004.

6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

6/23/04, CONTINUED. Speakers: None.

Continued to 6/29/04.

Heard in Committee: Speakers: Luis Granados, Mission Economic Development Association; My Do, Mission Economic Development Association; Eileen Boken; Richie Hart, Residential Builders Association; Rick Galbreath; Peter Cohen; Mr. Wheeler; Marc Solomon; Wendy Phillips; Male Speaker; Female Speaker; Christina Olague; Cheryl Adams, Deputy City Attorney, City Attorney's Office.

To Board as a Committee Report for June 29, 2004 meeting.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040900 [Appointment, Planning Commission]

Motion rejecting the Board of Supervisors President's appointment of Christina Olague to the Planning Commission, term ending July 1, 2008. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040882.)

Transmittal date - June 15, 2004.

6/22/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee: Speakers: Luis Granados, Mission Economic Development Association; My Do, Mission Economic Development Association; Eileen Boken, Search Committee member; Irosh Ovkuda, Richmond Community Association; Richie Hart, Residential Builders Association; Rick Galbreath; Adam Krueger; Lisa Pagon; Rene Soucedo, La Raza; Charlie Shamos; Peter Cohen; Brett Wheeler; Marc Solomon; Wendy Phillips; Christina Olague; Cheryl Adams, Deputy City Attorney, City Attorney's Office.

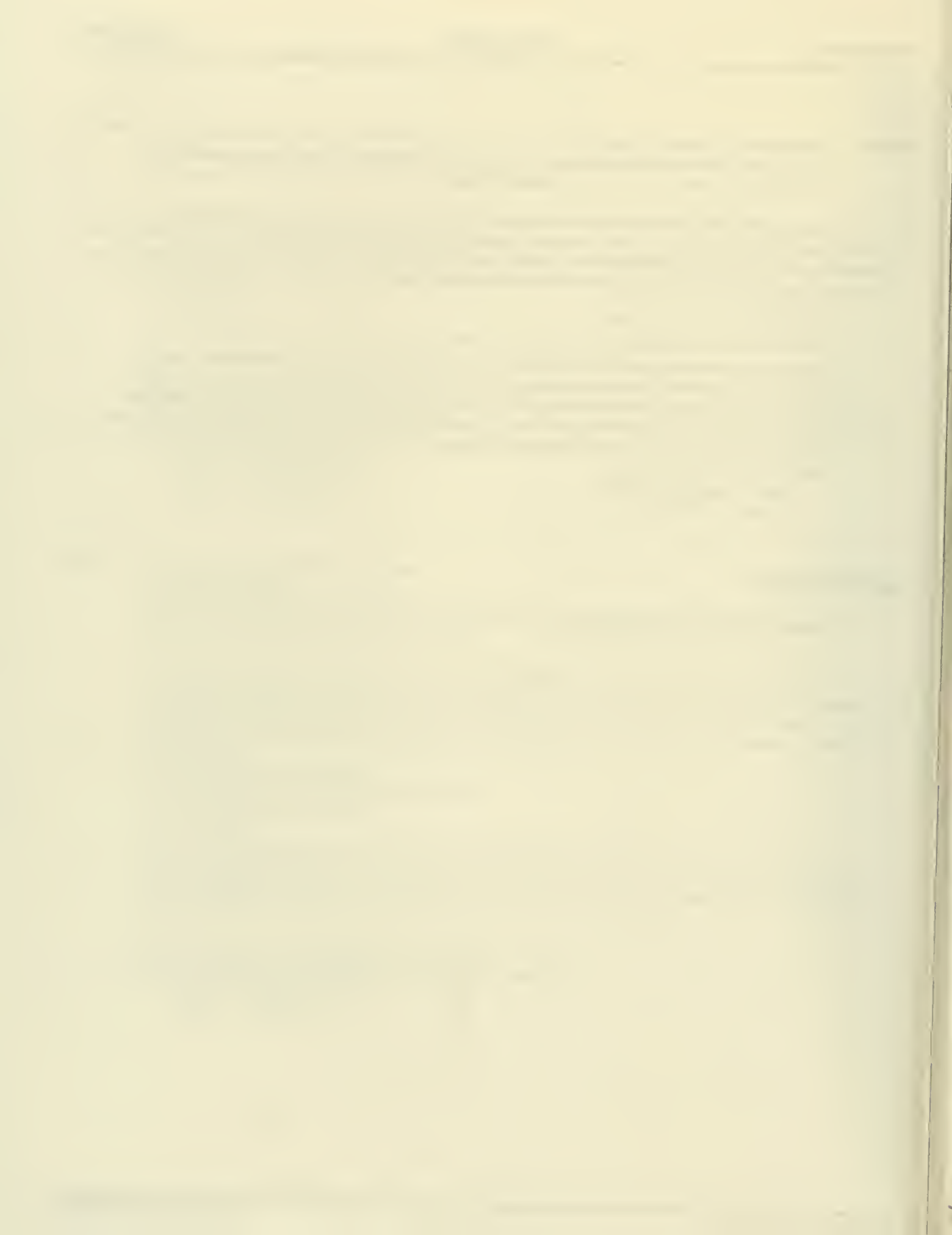
TABLED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

ADJOURNMENT

The meeting adjourned at 10:10 a.m.





City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, June 30, 2004

11:00 AM

City Hall, Room 263

Rescheduled Meeting

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Rules Committee on Wednesday, June 30, 2004, at 10:00 a.m. HAS BEEN RESCHEDULED TO Wednesday, June 30, 2004 at 11:00 a.m. and will be held in Room 263, Second Floor, City Hall.

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

DOCUMENTS DEPT.

JUN 28 2004

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06-28-04 A10 78 MKV

1. 040644 [Charter Amendment - Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance; Violence Prevention Programs]

Supervisors Daly, Maxwell

Charter amendment (Second Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to the following depts. for review and comment: District Attorney; Public Defender; SF Police Chief, Sheriff; President Police Commission; Chief Adult Probation Officer, Juvenile Probation; Youth Commission; Clerk of the Board; Budget Analyst's Office; Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning Environmental Review Officer.

6/21/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: John Goldberg, SFPD; Peg Stevenson, Controller's Office; Yarrow Cazer-Smith; Jeff Adachi, Public Defender, Male Speaker, District Attorney's Office; Lateefah Simon; Ted Lakey, Deputy City Attorney.

Continued to 6/30/04

6/21/04, CONTINUED AS AMENDED. Continued to 6/30/04

6/23/04: Second Draft referred to Departments for review.

2. 040642 [Charter Amendment - Authorizing health plans for City residents]

Supervisor Daly

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Department of Human Resources; Health Service System Board; Clerk of the Board; Budget Analyst's Office.

6/21/04, CONTINUED. Heard in Committee Speaker: Peg Stevenson, Controller's Office.

Continued to 6/30/04.

3. 040643 [Charter Amendment - Health Service System]

Supervisor Daly

Charter amendment (Second Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board; replace the City Attorney seat on the Health Service Board with an elected seat; and modify the application of the credit for Medicare premiums.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Retirement SFERS; Clerk of the Board; Budget Analyst's Office; Department of Human Resources; Health Service System Board

6/21/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee Speakers: Ted Lakey, Deputy City Attorney; Peg Stevenson; Jeffrey Colburn; John Madden; Nancy Gin; Dennis Krueger, Antoinette Candalerio.

6/21/04: Amendment of the Whole Bearing New Title.

6/21/04, DIVIDED. File No. 040643 was amended (into a second draft) then divided. This amendment was then continued to 6/30/04. The divided portion was created anew as File No. 040939 (as a first draft).

6/21/04, CONTINUED AS DIVIDED. Continued to 6/30/04.

4. 040939 [Charter Amendment - Health Service System Benefits at Retirement]**Supervisor Daly**

Charter amendment (First Draft) by adding Section A8.428-1 to Appendix A of the Charter to increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

6/21/04, CONTINUED. Divided from File No. 040643 and continued to 6/30/04

6/21/04, RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT**IMPORTANT INFORMATION**

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE**(Not to be considered at this meeting)**

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

There are no items now pending under the 30-day rule.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

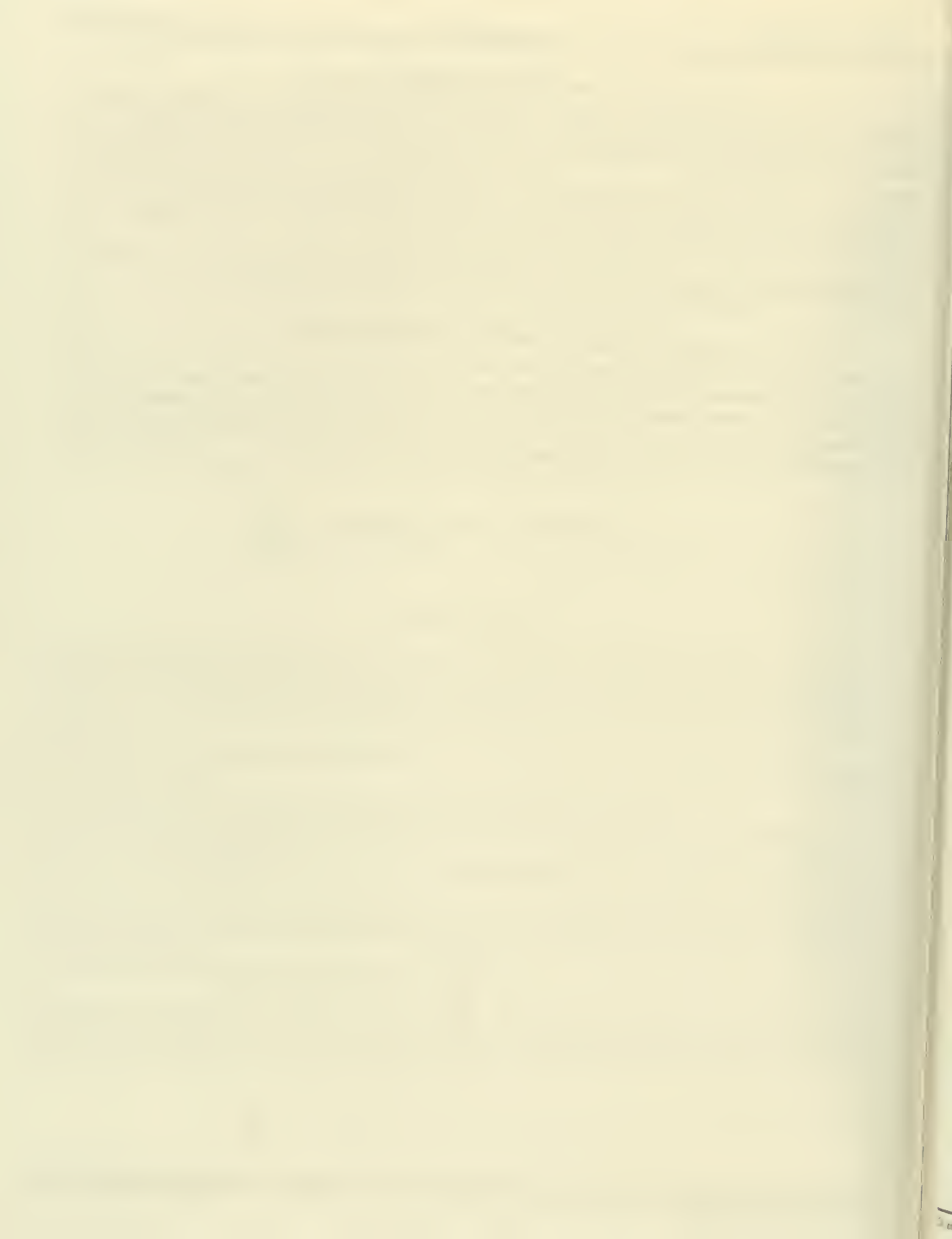
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics





City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, June 30, 2004

11:00 AM

City Hall, Room 263

Rescheduled Meeting

Members Present: Sophie Maxwell, Matt Gonzalez.

Members Absent: Michela Alioto-Pier.

MEETING CONVENED

DOCUMENTS DEPT.

JUL - 2 2004

The meeting convened at 11:01 a.m.

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REGULAR AGENDA

040644 [Charter Amendment - Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance; Violence Prevention Programs]

Supervisors Daly, Maxwell

Charter amendment (Second Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to the following depts. for review and comment: District Attorney; Public Defender; SF Police Chief, Sheriff; President Police Commission; Chief Adult Probation Officer; Juvenile Probation; Youth Commission; Clerk of the Board; Budget Analyst's Office; Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning Environmental Review Officer

6/21/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: John Goldberg, SFPD; Peg Stevenson, Controller's Office; Yarrow Cazer-Smith, Jeff Adachi, Public Defender; Male Speaker, District Attorney's Office; Lateefah Simon; Ted Lakey, Deputy City Attorney.
Continued to 6/30/04.

6/21/04, CONTINUED AS AMENDED Continued to 6/30/04

6/23/04: Second Draft referred to Departments for review.

Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; John Goldberg, SFPD; Corina Morizon, Controller's Office; Cheryl Adams, Deputy City Attorney.

Continued to 7/7/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040642 [Charter Amendment - Authorizing health plans for City residents]**Supervisor Daly**

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Department of Human Resources; Health Service System Board; Clerk of the Board; Budget Analyst's Office.

6/21/04, CONTINUED. Heard in Committee. Speaker: Peg Stevenson, Controller's Office.
Continued to 6/30/04.

Heard in Committee. Speaker: Bill Barnes, Legislative Aide to Supervisor Daly.

Continued to 7/7/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040643 [Charter Amendment - Health Service System]**Supervisor Daly**

Charter amendment (Second Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board; replace the City Attorney seat on the Health Service Board with an elected seat; and modify the application of the credit for Medicare premiums.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Retirement SFERS; Clerk of the Board; Budget Analyst's Office; Department of Human Resources; Health Service System Board.

6/21/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Peg Stevenson; Jeffrey Colburn; John Madden; Nancy Gin; Dennis Krueger; Antoinette Candalerio.

6/21/04: Amendment of the Whole Bearing New Title.

6/21/04, DIVIDED. File No. 040643 was amended (into a second draft) then divided. This amendment was then continued to 6/30/04. The divided portion was created anew as File No. 040939 (as a first draft).

6/21/04, CONTINUED AS DIVIDED. Continued to 6/30/04.

Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Bernard Crotty; John Madden; Stephanie Lyons; Nancy Gin; Claire Dunn; Jeffrey Hildebrant; Jean Thomas; Claire Zvanski, Health Service Board; Male Speaker; Tony Sacca; Antoinette Candalerio, Health Service System.

6/30/04 Amendment of the Whole bearing new title.

Continued to 7/7/04.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Third Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board and replace the City Attorney seat on the Health Service Board with an elected seat.

CONTINUED AS AMENDED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040939 [Charter Amendment - Health Service System Benefits at Retirement]**Supervisor Daly**

Charter amendment (First Draft) by amending Section A8.428 of Appendix A of the Charter and by adding Section A8.428-1 to Appendix A of the Charter to increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

6/21/04, CONTINUED. Divided from File No. 040643 and continued to 6/30/04.

6/21/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Bernard Crotty; John Madden; Stephanie Lyons; Nancy Gin; Claire Dunn; Jeffrey Hildebrant; Jean Thomas; Claire Zvanski, Health Service Board; Male Speaker; Tony Sacca; Antoinette Candalerio, Health Service System.

6/30/04 Amendment of the Whole Bearing Same Title.

Continued to 7/7/04.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Second Draft) by amending Section A8.428 of Appendix A of the Charter and by adding Section A8.428-1 to Appendix A of the Charter to increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

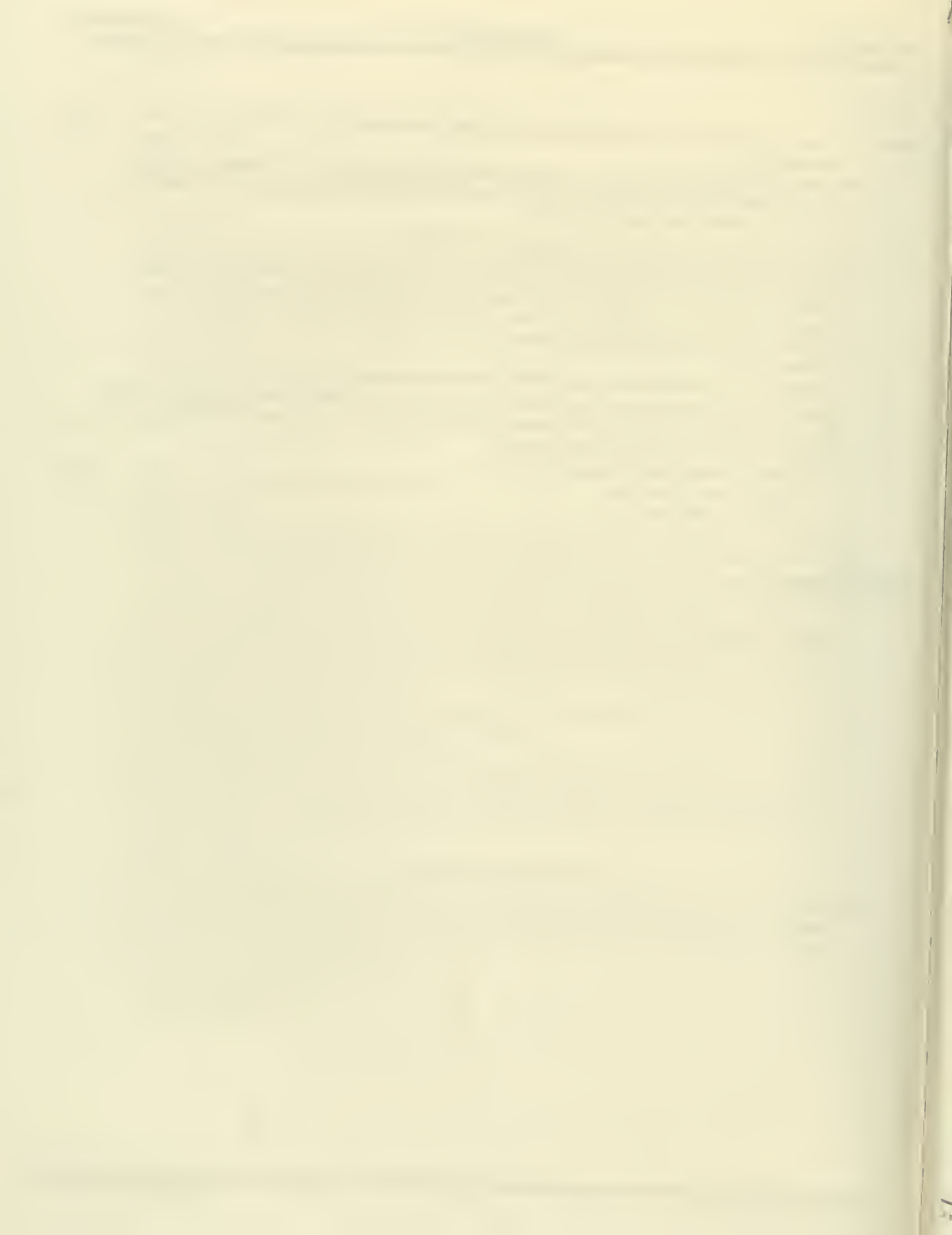
CONTINUED AS AMENDED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

ADJOURNMENT

The meeting adjourned at 1:30 p.m.





City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, July 01, 2004

11:00 AM

City Hall, Room 263

Special Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

DOCUMENTS DEPT

JUN 28 2004

AGENDA CHANGES

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REGULAR AGENDA

00-28-04 A10 10 01 04

1. 040641 [Charter Amendment - Office of Economic Analysis; Economic Development Plan]
Supervisor Alioto-Pier

Charter amendment (First Draft) by adding Section 2.118, to create an Office of Economic Analysis under the Board of Supervisors, and by adding Section 16.124, to require the Office of Economic Analysis to prepare an annual Economic Development Plan for the City.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office.

6/23/04, CONTINUED. Speakers: None.
Continued to 7/1/04

2. 040646 **[Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]**
Supervisor Hall
Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.
- (Fiscal impact.)
- 5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller, Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; SFERS; Clerk of the Board; Budget Analyst's Office.
6/15/04: Referred to Human Resources.
6/23/04, CONTINUED. Heard in Committee. Speakers: Clare Murphy, Retirement System; Supervisor Hall, Michael Hebel, SFPD; Joe Moriarty, SFPD; Cheryl Adams, Deputy City Attorney.
Continued to 7/1/04.
3. 040647 **[Charter Amendment - Board to set annual salary for Director of MTA, subject to \$250,000 cap; Board to approve Director's contract; Board's line item veto of expenditures and proposed fares in MTA budget; Controller to administer MTA quality review]**
Supervisor Sandoval
Charter amendment (First Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.
- 5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller, Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Municipal Transportation Agency; Budget Analyst's Office; Clerk of the Board.
6/23/04, CONTINUED. Heard in Committee. Speakers: Arthur Shell; Sylvia Alvarez-Lynch; Male Speaker, Ray Fisher; Ruth Williams Stewart; Marc Solomon; Male Speaker; Howard Strassner; Chris Flynn; David Tornheim
Continued to 7/1/04.

4. 040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides; Board of Education compensation]

Supervisor Gonzalez

Charter amendment (Second Draft) to amend Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, 8.100, and Article XVII, and to add Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 60 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; delete the specific number of Board aides set in the Charter; set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004 5/21/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer, Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment, Department of the Environment; Clerk of the Board, Budget Analyst's Office

6/15/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute Charter Amendment (Second Draft) bearing new title.

6/15/04, ASSIGNED to Rules Committee. 6/17/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer, Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment, Department of the Environment, Clerk of the Board; Budget Analyst's Office, SFUSD.

6/23/04, CONTINUED. Speakers: None.

Continued to 7/1/04.

5. 040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]

Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick

Charter amendment (First Draft) by adding Section 13.111 to authorize San Francisco residents 18 years of age or older who have children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer, Clerk of the Board, Budget Analyst's Office; Dept. of Elections; San Francisco Unified School District.

6/23/04, CONTINUED. Heard in Committee. Speakers: Male Speaker, Ted Wong; Male Speaker, Frederico Fernandez; Jean Peppy; Sylvia Alvarez-Lynch; Chia Malik; Gizelle Merrick; David Chew.

Continued 7/1/04

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94 102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

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- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Thursday, July 01, 2004

11:00 AM

City Hall, Room 263

Special Meeting

Members Present: Sophie Maxwell, Matt Gonzalez.

Members Absent: Michela Alioto-Pier.

DOCUMENTS DEPT.

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MEETING CONVENED

The meeting convened at 11:09 a.m.

REGULAR AGENDA

040641 [Charter Amendment - Office of Economic Analysis; Economic Development Plan]

Supervisor Alioto-Pier

Charter amendment (First Draft) by adding Section 2.118, to create an Office of Economic Analysis under the Board of Supervisors, and by adding Section 16.124, to require the Office of Economic Analysis to prepare an annual Economic Development Plan for the City.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller; Mayor, City Attorney; Ethics Commission; City Administrator, Director Administrative Services; Planning, Environmental Review Officer, Clerk of the Board; Budget Analyst's Office.

6/23/04, CONTINUED. Speakers: None.

Continued to 7/1/04

Speakers: None.

Continued to 7/8/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040646 [Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]

Supervisor Hall

Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; SFERS; Clerk of the Board; Budget Analyst's Office.

6/15/04: Referred to Human Resources.

6/23/04, CONTINUED. Heard in Committee. Speakers: Clare Murphy, Retirement System; Supervisor Hall; Michael Hebel, SFPD; Joe Moriarty, SFFD; Cheryl Adams, Deputy City Attorney.

Continued to 7/1/04.

Heard in Committee. Speakers: Claire Murphy, Retirement System; Supervisor Hall; Officer Gary Delanis, SFPD; Denise Blessing; Michael Hebel, SFPD; Joe Moriarty, SFFD Local 798.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040647 [Charter Amendment - Board to set annual salary for Director of MTA, subject to \$250,000 cap; Board to approve Director's contract; Board's line item veto of expenditures and proposed fares in MTA budget; Controller to administer MTA quality review]

Supervisor Sandoval

Charter amendment (First Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Municipal Transportation Agency; Budget Analyst's Office; Clerk of the Board.

6/23/04, CONTINUED. Heard in Committee. Speakers: Arthur Shell; Sylvia Alvarez-Lynch; Male Speaker; Ray Fisher; Ruth Williams Stewart; Marc Solomon; Male Speaker; Howard Strassner; Chris Flynn; David Tornheim.

Continued to 7/1/04.

Heard in Committee. Speakers: Supervisor Sandoval; Jim Lazarus, SPUR; Andrew Sullivan, Rescue MUNI; Tom Radulovich, TLC; David Tornheim, Central City Progressives; Glenda Levine, Local 200; David Pilpel; David Murphy, Rescue MUNI; Judson True, Legislative Aide to Supervisor Sandoval.

7/1/04 Amendment of the Whole Bearing Same Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Second Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

Continued to 7/8/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Gonzalez
Absent: 1 - Alioto-Pier

**040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides; Board of Education compensation]
Supervisor Gonzalez**

Charter amendment (Second Draft) to amend Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, 8.100, and Article XVII, and to add Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 60 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; delete the specific number of Board aides set in the Charter; set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004. 5/21/04: Referred to Controller; Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board, Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office

6/15/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute Charter Amendment (Second Draft) bearing new title

6/15/04, ASSIGNED to Rules Committee 6/17/04 Referred to Controller; Mayor, City Attorney; Ethics Commission, City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board, Department of Aging and Adult Services; Commission on the Environment; Department of the Environment, Clerk of the Board; Budget Analyst's Office; SFUSD

6/23/04, CONTINUED. Speakers: None
Continued to 7/1/04.

Heard in Committee. Speakers: Tom Radulovich; David Pilpel; Mark Westlund, Department of the Environment; Tom Owen and Ted Lakey, Deputy City Attorneys.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

File 040597 was amended then divided into three files. This amendment was then continued to 7/8/04. The divided portions were created anew as File 040981 (as a first draft) and 040982 (as a first draft).

DIVIDED.

Charter amendment (Third Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, 8.100, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; delete the specific number of Board aides set in the Charter; and, set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.

Continued to 7/8/04.

CONTINUED AS DIVIDED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040981 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides]

Charter Amendment (First Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

Divided from File 040597 and continued to 7/8/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040982 [Charter Amendment - Board of Education compensation]

Charter amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100, to set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.

Divided from File 040597 and continued to 7/8/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]

Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick

Charter amendment (First Draft) by adding Section 13.111 to authorize San Francisco residents 18 years of age or older who have children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04: Referred to Controller; Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office; Dept. of Elections; San Francisco Unified School District

6/23/04, CONTINUED. Heard in Committee. Speakers: Male Speaker, Ted Wong; Male Speaker, Frederico Fernandez, Jean Peppy, Sylvia Alvarez-Lynch; Chia Mahk; Gizelle Merrick; David Chew.

Continued 7/1/04

Heard in Committee. Speakers: Carlos Petroni; Female Speaker, Day Labor Program; Elizabeth Michaels; Allen Wong; Alexis Pope; Mike Mack; Jay Howell; Tara Kinney; Female Speaker; Wendall Lim; Diana Pang; Female Speaker.

7/1/04 Amendment of the Whole Bearing New Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) adding Section 13.111 to authorize San Francisco residents 18 years of age or older either who have children in the San Francisco Unified School District or who serve as legal guardians or caregivers for children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

Continued to 7/8/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

ADJOURNMENT

The meeting adjourned at 1:27 p.m.



Wed



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, July 07, 2004

11:00 AM

City Hall, Room 263

Special Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

DOCUMENTS DEPT.

AGENDA CHANGES

JUL - 2 2004

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REGULAR AGENDA

07-02-04 11:00 AM

1. 040639 [Appointment - Ballot Simplification Committee]
Hearing to consider appointing two members to the Ballot Simplification Committee.

2 Seats Being Considered

Vacant seat, succeeding Phyllis Smith, term expired, seat 1, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2004.

Vacant seat, succeeding Allyson Washburn, resigned, seat 3, must represent the National Academy of Television Arts and Sciences Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2004.

5/17/04, RECEIVED AND ASSIGNED to Rules Committee

2 seats/1 applicant

Suzanne Stassevitch, seat 1

2. **040688** **[Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]**
Supervisor Daly
Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

(Fiscal impact.)

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.
6/8/04, SUBSTITUTED. Supervisor Daly submitted a substitute Motion bearing same title.
6/8/04, ASSIGNED to Rules Committee.
6/14/04, REFERRED TO DEPARTMENT. Referred to Controller for review and comment.
3. **040752** **[Dissolving the Telecommunications Commission]**
Ordinance amending the San Francisco Administrative Code by amending Sections 11.84, 11.85, and 11.86, and repealing Sections 11.87, 11.88, and 11.89, to dissolve the Telecommunications Commission. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.
4. **040754** **[Office of the City Administrator]**
Ordinance amending the San Francisco Administrative Code by adding Section 2A.25 and amending Section 2A.30 to establish the Office of the City Administrator as a City department. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.
5. **040755** **[Department of Convention Facilities]**
Mayor
Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVIII, section 2A.260 to establish and describe the responsibilities of the Department of Convention Facilities. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Rules Committee
6/22/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.
6/22/04, ASSIGNED to Rules Committee.
6/29/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.
6/29/04, ASSIGNED to Rules Committee.
6. **040760** **[Department of the Medical Examiner]**
Mayor
Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVII, section 2A.250 to establish and describe the responsibilities of the Department of the Medical Examiner. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.
6/22/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.
6/22/04, ASSIGNED to Rules Committee.
6/29/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.
6/29/04, ASSIGNED to Rules Committee.

7. **040644 [Charter Amendment - Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance; Violence Prevention Programs]**

Supervisors Daly, Maxwell

Charter amendment (Second Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to the following depts for review and comment: District Attorney; Public Defender, SF Police Chief, Sheriff, President Police Commission; Chief Adult Probation Officer, Juvenile Probation; Youth Commission; Clerk of the Board, Budget Analyst's Office, Controller; Mayor, City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning Environmental Review Officer.

6/21/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: John Goldberg, SFPD; Peg Stevenson, Controller's Office, Yarrow Cazer-Smith, Jeff Adachi, Public Defender. Male Speaker, District Attorney's Office; Lateefah Simon; Ted Lakey, Deputy City Attorney
Continued to 6/30/04

6/21/04, CONTINUED AS AMENDED. Continued to 6/30/04

6/23/04 Second Draft referred to Departments for review.

6/30/04, CONTINUED. Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly, John Goldberg, SFPD, Corina Morizon, Controller's Office; Cheryl Adams, Deputy City Attorney
Continued to 7/7/04.

8. **040642 [Charter Amendment - Authorizing health plans for City residents]**

Supervisor Daly

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04. Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer, Department of Human Resources; Health Service System Board; Clerk of the Board; Budget Analyst's Office
6/21/04, CONTINUED. Heard in Committee. Speaker: Peg Stevenson, Controller's Office.
Continued to 6/30/04.

6/30/04, CONTINUED. Heard in Committee. Speaker: Bill Barnes, Legislative Aide to Supervisor Daly
Continued to 7/7/04.

9. 040643 [Charter Amendment - Health Service System]**Supervisor Daly**

Charter amendment (Second Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board; replace the City Attorney seat on the Health Service Board with an elected seat; and modify the application of the credit for Medicare premiums.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Retirement SFERS; Clerk of the Board; Budget Analyst's Office; Department of Human Resources; Health Service System Board.

6/21/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Peg Stevenson; Jeffrey Colburn; John Madden; Nancy Gin; Dennis Krueger; Antoinette Candalerio.

6/21/04: Amendment of the Whole Bearing New Title.

6/21/04, DIVIDED. File No. 040643 was amended (into a second draft) then divided. This amendment was then continued to 6/30/04. The divided portion was created anew as File No. 040939 (as a first draft).

6/21/04, CONTINUED AS DIVIDED. Continued to 6/30/04.

6/30/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Bernard Crotty; John Madden; Stephanie Lyons; Nancy Gin; Claire Dunn; Jeffrey Hildebrant; Jean Thomas; Claire Zvanski, Health Service Board; Male Speaker; Tony Sacca; Antoinette Candalerio, Health Service System.

6/30/04 Amendment of the Whole bearing new title.

Continued to 7/7/04.

6/30/04, CONTINUED AS AMENDED.

10. 040939 [Charter Amendment - Health Service System Benefits at Retirement]**Supervisor Daly**

Charter amendment (First Draft) by amending Section A8.428 of Appendix A of the Charter and by adding Section A8.428-1 to Appendix A of the Charter to increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

6/21/04, CONTINUED. Divided from File No. 040643 and continued to 6/30/04.

6/21/04, RECEIVED AND ASSIGNED to Rules Committee.

6/30/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Bernard Crotty; John Madden; Stephanie Lyons; Nancy Gin; Claire Dunn; Jeffrey Hildebrant; Jean Thomas; Claire Zvanski, Health Service Board; Male Speaker; Tony Sacca; Antoinette Candalerio, Health Service System.

6/30/04 Amendment of the Whole Bearing Same Title.

Continued to 7/7/04.

6/30/04, CONTINUED AS AMENDED.

ADJOURNMENT**IMPORTANT INFORMATION**

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

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- The Clerk of the Board's Office TTY number is (415) 554-5227.

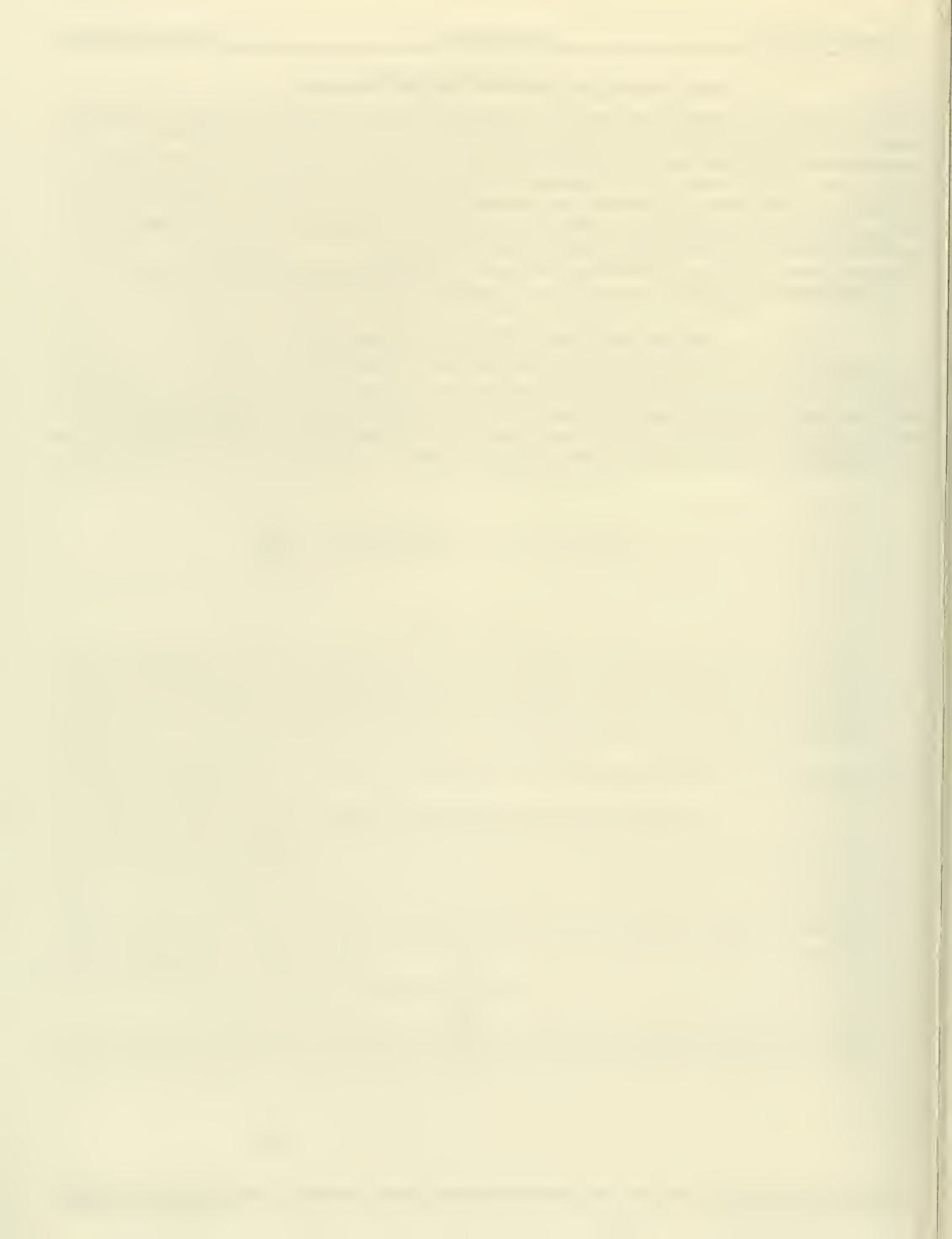
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics





City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

[All Committees]

SF Public Library

Govt. Information Center, 5th Flr.

ATTN: Michael Sherrod-Flores

Wednesday, July 07, 2004

11:00 AM

City Hall, Room 263

Special Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

DOCUMENTS DEPT.

JUL 12 2004

SAN FRANCISCO
PUBLIC LIBRARY

MEETING CONVENED

The meeting convened at 11:10 a.m.

REGULAR AGENDA

040639 [Appointment - Ballot Simplification Committee]

Hearing to consider appointing two members to the Ballot Simplification Committee.

2 Seats Being Considered

Vacant seat, succeeding John O'Dell, resigned, seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2004.

Vacant seat, succeeding Phyllis Smith, term expired, seat 3, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2004.

5/17/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Suzanne Strassevitch.

Appointment of Suzanne Strassevitch, seat 3, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Suzanne Strassevitch, term ending November 30, 2004, to the Ballot Simplification Committee.

Suzanne Strassevitch, succeeding Phyllis Smith, term expired, seat 3, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2004.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040688 [Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]

Supervisor Daly

Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

(Fiscal impact.)

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004

6/8/04, SUBSTITUTED. Supervisor Daly submitted a substitute Motion bearing same title.

6/8/04, ASSIGNED to Rules Committee.

6/14/04, REFERRED TO DEPARTMENT. Referred to Controller for review and comment.

Heard in Committee. Speakers: Supervisor Daly; Doug Comstock; Sue Cauthen; Amy Ackerman and Ted Lakey, Deputy City Attorneys; Bruce Brugmann, Bay Guardian; Dale Butler, Local 790; Male Speaker, Project Open Hand; Female Speaker; Female Speaker; Richard Heasley; Female Speaker, SF Human Services Network; David Parker; David Pilpel; Female Speaker; Bill Barnes, Legislative Aide to Supervisor Daly.

7/7/04 Amendment of the Whole Bearing Same Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Continued to 7/12/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040752 [Dissolving the Telecommunications Commission]

Ordinance amending the San Francisco Administrative Code by amending Sections 11.84, 11.85, and 11.86, and repealing Sections 11.87, 11.88, and 11.89, to dissolve the Telecommunications Commission. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Erin McGrath, Mayor's Office; Denise Brady, DTIS; David Pilpel.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040754 [Office of the City Administrator]

Ordinance amending the San Francisco Administrative Code by adding Section 2A.25 and amending Section 2A.30 to establish the Office of the City Administrator as a City department. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Rules Committee

Heard in Committee. Speakers: Erin McGrath, Mayor's Office; Denise Brady, DTIS; David Pilpel.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040755 [Department of Convention Facilities]**Mayor**

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVIII, section 2A.260 to establish and describe the responsibilities of the Department of Convention Facilities.

6/1/04, RECEIVED AND ASSIGNED to Rules Committee

6/22/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title

6/22/04, ASSIGNED to Rules Committee.

6/29/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.

6/29/04, ASSIGNED to Rules Committee

Heard in Committee. Speakers: Erin McGrath, Mayor's Office; Denise Brady, DTIS; David Pilpel.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040760 [Department of the Medical Examiner]**Mayor**

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVII, section 2A.250 to establish and describe the responsibilities of the Department of the Medical Examiner.

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.

6/22/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title

6/22/04, ASSIGNED to Rules Committee

6/29/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.

6/29/04, ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Erin McGrath, Mayor's Office; Denise Brady, DTIS; David Pilpel.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

**040644 [Charter Amendment - Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance; Violence Prevention Programs]
Supervisors Daly, Maxwell**

Charter amendment (Second Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to the following depts. for review and comment: District Attorney; Public Defender; SF Police Chief, Sheriff, President Police Commission; Chief Adult Probation Officer, Juvenile Probation; Youth Commission; Clerk of the Board; Budget Analyst's Office; Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning Environmental Review Officer.

6/21/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: John Goldberg, SFPD; Peg Stevenson, Controller's Office; Yarrow Cazer-Smith; Jeff Adachi, Public Defender; Male Speaker, District Attorney's Office; Lateefah Simon; Ted Lakey, Deputy City Attorney.

Continued to 6/30/04.

6/21/04, CONTINUED AS AMENDED. Continued to 6/30/04

6/23/04: Second Draft referred to Departments for review.

6/30/04, CONTINUED. Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; John Goldberg, SFPD; Corina Morizon, Controller's Office; Cheryl Adams, Deputy City Attorney.

Continued to 7/7/04.

Heard in Committee: Speakers: Ted Lakey, Deputy City Attorney, City Attorney's Office; Bill Barnes, Legislative Aide to Supervisor Chris Daly; Richard Robinson; David Pilpel.

Meeting Recessed until July 8, 2004 at 11:05 a.m.

MEETING RECESSED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

**040642 [Charter Amendment - Authorizing health plans for City residents]
Supervisor Daly**

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Department of Human Resources; Health Service System Board; Clerk of the Board; Budget Analyst's Office.

6/21/04, CONTINUED. Heard in Committee. Speaker: Peg Stevenson, Controller's Office.

Continued to 6/30/04.

6/30/04, CONTINUED. Heard in Committee. Speaker: Bill Barnes, Legislative Aide to Supervisor Daly.

Continued to 7/7/04.

Heard in Committee. Speaker: Bill Barnes, Legislative Aide to Supervisor Daly.

To Board as a Committee Report, Tuesday, July 13, 2004.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

**040643 [Charter Amendment - Health Service System]
Supervisor Daly**

Charter amendment (Third Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board and replace the City Attorney seat on the Health Service Board with an elected seat.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer, Retirement SFERS; Clerk of the Board; Budget Analyst's Office; Department of Human Resources; Health Service System Board

6/21/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Peg Stevenson; Jeffrey Colburn, John Madden; Nancy Gin; Dennis Krueger, Antoinette Candalerio.

6/21/04 Amendment of the Whole Bearing New Title.

6/21/04, DIVIDED. File No. 040643 was amended (into a second draft) then divided. This amendment was then continued to 6/30/04. The divided portion was created anew as File No. 040939 (as a first draft).

6/21/04, CONTINUED AS DIVIDED. Continued to 6/30/04

6/30/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Bernard Crotty; John Madden; Stephanie Lyons; Nancy Gin; Claire Dunn; Jeffrey Hildebrandt; Jean Thomas; Claire Zvanski, Health Service Board; Male Speaker; Tony Sacca; Antoinette Candalerio, Health Service System.

6/30/04 Amendment of the Whole bearing new title

Continued to 7/7/04

6/30/04, CONTINUED AS AMENDED.

Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Molly Stump, Deputy City Attorney; Nancy Gin; Jaimie Austin, Human Resources Department; Peg Stevenson, Controller's Office;

Dennis Krueger, Local 798; John Madden; Tony Sacca; Claire Dunn; Jean Thomas.

To Brought as a Committee Report, Tuesday, July 13, 2004.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

**040939 [Charter Amendment - Health Service System Benefits at Retirement]
Supervisor Daly**

Charter amendment (Second Draft) by amending Section A8.428 of Appendix A of the Charter and by adding Section A8.428-1 to Appendix A of the Charter to increase the years of service required for new employees to qualify for subsidized health benefits at retirement.

6/21/04, CONTINUED. Divided from File No. 040643 and continued to 6/30/04.

6/21/04, RECEIVED AND ASSIGNED to Rules Committee

6/30/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Bernard Crotty; John Madden; Stephanie Lyons; Nancy Gin; Claire Dunn; Jeffrey Hildebrandt; Jean Thomas; Claire Zvanski, Health Service Board; Male Speaker; Tony Sacca; Antoinette Candalerio, Health Service System.

6/30/04 Amendment of the Whole Bearing Same Title.

Continued to 7/7/04

6/30/04, CONTINUED AS AMENDED.

Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Molly Stump, Deputy City Attorney.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

MEETING RECESSED

The meeting was recessed to 7/8/04 at 11:05 a.m.





City and County of San Francisco

Meeting Agenda

Rules Committee

Government Information Center
Main Library (41)

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzales

Clerk: Linda Laws

Thursday, July 08, 2004

11:00 AM

City Hall, Room 263

Special Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

JUL 6 - 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

1. 040641 [Charter Amendment - Office of Economic Analysis; Economic Development Plan] Supervisor Alioto-Pier

Charter amendment (First Draft) by adding Section 2.118, to create an Office of Economic Analysis under the Board of Supervisors, and by adding Section 16.124, to require the Office of Economic Analysis to prepare an annual Economic Development Plan for the City.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator, Director Administrative Services; Planning, Environmental Review Officer, Clerk of the Board; Budget Analyst's Office

6/23/04, CONTINUED Speakers: None

Continued to 7/1/04

7/1/04, CONTINUED. Speakers: None

Continued to 7/8/04

2. 040647 [Charter Amendment - Board to set annual salary for Director of MTA, subject to \$250,000 cap; Board to approve Director's contract; Board's line item veto of expenditures and proposed fares in MTA budget; Controller to administer MTA quality review]

Supervisor Sandoval

Charter amendment (Second Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator, Director Administrative Services; Planning EIR Officer, Municipal Transportation Agency; Budget Analyst's Office; Clerk of the Board.

6/23/04, CONTINUED. Heard in Committee. Speakers: Arthur Shell; Sylvia Alvarez-Lynch; Male Speaker; Ray Fisher; Ruth Williams Stewart; Marc Solomon; Male Speaker; Howard Strassner; Chris Flynn; David Tornheim. Continued to 7/1/04.

7/1/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Sandoval; Jim Lazarus, SPUR; Andrew Sullivan, Rescue MUNI; Tom Radulovich, TLC; David Tornheim, Central City Progressives; Glenda Levine, Local 200; David Pilpel; David Murphy, Rescue MUNI; Judson True, Legislative Aide to Supervisor Sandoval.

7/1/04 Amendment of the Whole Bearing Same Title

7/1/04, CONTINUED. Continued to 7/8/04.

3. 040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides; Board of Education compensation]

Supervisor Gonzalez

Charter amendment (Third Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, 8.100, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; delete the specific number of Board aides set in the Charter; and, set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004. 5/21/04: Referred to Controller, Mayor, City Attorney; Ethics Commission; City Administrator, Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment, Department of the Environment; Clerk of the Board; Budget Analyst's Office

6/15/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute Charter Amendment (Second Draft) bearing new title.

6/15/04, ASSIGNED to Rules Committee. 6/17/04: Referred to Controller, Mayor; City Attorney; Ethics Commission, City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office; SFUSD.

6/23/04, CONTINUED. Speakers: None.

Continued to 7/1/04.

7/1/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Tom Radulovich; David Pilpel; Mark Westlund, Department of the Environment; Tom Owen and Ted Lakey, Deputy City Attorneys.

7/1/04, DIVIDED. File 040597 was amended then divided into three files. This amendment was then continued to 7/8/04. The divided portions were created anew as File 040981 (as a first draft) and 040982 (as a first draft).

7/1/04, CONTINUED AS DIVIDED. Continued to 7/8/04

4. 040981 **[Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides]**
Charter Amendment (First Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.
7/1/04, RECEIVED AND ASSIGNED to Rules Committee.
7/1/04, CONTINUED. Divided from File 040597 and continued to 7/8/04.
5. 040982 **[Charter Amendment - Board of Education compensation]**
Charter amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100, to set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.
7/1/04, RECEIVED AND ASSIGNED to Rules Committee
7/1/04, CONTINUED. Divided from File 040597 and continued to 7/8/04.
6. 040645 **[Charter Amendment - Non-Citizen Voting in School Board Elections]**
Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick
Charter amendment (Second Draft) adding Section 13.111 to authorize San Francisco residents 18 years of age or older either who have children in the San Francisco Unified School District or who serve as legal guardians or caregivers for children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.
5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller, Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board, Budget Analyst's Office; Dept. of Elections; San Francisco Unified School District
6/23/04, CONTINUED. Heard in Committee. Speakers: Male Speaker; Ted Wong; Male Speaker; Frederico Fernandez, Jean Peppy; Sylvia Alvarez-Lynch; Chia Malick; Gizelle Merrick; David Chew
Continued 7/1/04.
7/1/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Carlos Petroni; Female Speaker, Day Labor Program; Elizabeth Michaels; Allen Wong, Alexis Pope; Mike Mack, Jay Howell, Tara Kinney; Female Speaker, Wendall Lim, Diana Pang; Female Speaker.
7/1/04 Amendment of the Whole Bearing New Title
7/1/04, CONTINUED. Continued to 7/8/04

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

There are no items now pending under the 30-day rule.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

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City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

[All Committees]

SF Public Library

Govt. Information Center, 5th Flr.

ATTN: Michael Sherrod-Flores

Clerk: Linda Laws

Thursday, July 08, 2004

11:00 AM

City Hall, Room 263

Special Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

MEETING CONVENED

The meeting convened 11:08 a.m.

DOCUMENTS DEPT.

JUL 12 2004

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR AGENDA

040641 [Charter Amendment - Office of Economic Analysis; Economic Development Plan]

Supervisor Alioto-Pier

Charter amendment (First Draft) by adding Section 2.118, to create an Office of Economic Analysis under the Board of Supervisors, and by adding Section 16.124, to require the Office of Economic Analysis to prepare an annual Economic Development Plan for the City.

(Fiscal impact.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004 5/21/04 Referred to Controller; Mayor, City Attorney; Ethics Commission; City Administrator; Director Administrative Services, Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office.

6/23/04, CONTINUED. Speakers: None

Continued to 7/1/04

7/1/04, CONTINUED. Speakers: None

Continued to 7/8/04.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040647 [Charter Amendment - MTA budget; Director's contract and salary cap; Board veto of service reductions; voter-approved ordinances; biennial quality review]
Supervisor Sandoval

Charter amendment (Second Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Municipal Transportation Agency; Budget Analyst's Office; Clerk of the Board.

6/23/04, CONTINUED. Heard in Committee. Speakers: Arthur Shell; Sylvia Alvarez-Lynch; Male Speaker: Ray Fisher; Ruth Williams Stewart; Marc Solomon; Male Speaker: Howard Strassner; Chris Flynn; David Tornheim.
Continued to 7/1/04.

7/1/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Sandoval; Jim Lazarus, SPUR; Andrew Sullivan, Rescue MUNI; Tom Radulovich, TLC; David Tornheim, Central City Progressives; Glenda Levine, Local 200; David Pilpel; David Murphy, Rescue MUNI; Judson True, Legislative Aide to Supervisor Sandoval.

7/1/04 Amendment of the Whole Bearing Same Title

7/1/04, CONTINUED. Continued to 7/8/04.

Heard in Committee. Speakers: Judson True, Legislative Aide to Supervisor Sandoval; Supervisor Sandoval; Jose Cisneros, MTA; Ted Lakey, Deputy City Attorney; Tom Radulovich, BART; Sylvia Alvarez-Lynch; Glenda Levine, Local 200; William Ciss, Local 250; Judy Triantos, Local 790; Female Speaker, Local 790; Andrew Sullivan, Rescue MUNI; David Pilpel; Male Speaker: Greg Wagner, SPUR; Daniel Murphy, Rescue MUNI; David Tornheim; John Silverman; Richard Robinson; Joe Speaks, MTA.

7/8/04 Amendment of the Whole Bearing New Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Third Draft) by amending Sections 8A.102, 8A.103, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Municipal Transportation Agency must comply with voter-approved ordinances; the Agency's service standards shall be modified; the Board of Supervisors may reject proposed service reductions; the Director of Transportation and the Controller shall develop budget reporting standards for the Agency; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

Continued to 7/12/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides; Board of Education compensation]

Supervisor Gonzalez

Charter amendment (Third Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, 8.100, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; delete the specific number of Board aides set in the Charter; and, set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004. 5/21/04 Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office

6/15/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute Charter Amendment (Second Draft) bearing new title.

6/15/04, ASSIGNED to Rules Committee 6/17/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office; SFUSD.

6/23/04, CONTINUED. Speakers: None

Continued to 7/1/04.

7/1/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers. Tom Radulovich; David Pilpel; Mark Westlund, Department of the Environment; Tom Owen and Ted Lakey, Deputy City Attorneys.

7/1/04, DIVIDED. File 040597 was amended then divided into three files. This amendment was then continued to 7/8/04 The divided portions were created anew as File 040981 (as a first draft) and 040982 (as a first draft).

7/1/04, CONTINUED AS DIVIDED. Continued to 7/8/04

Heard in Committee. Speakers: Margaret Barron; Ann Hintin; Vern Haile; Ed Chu; Jimmy Quock; Bruce Kuthberton; David Pilpel; Tom Owen, Deputy City Attorney; Peg Stevenson, Controller's Office.

TABLED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

- 040981 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides]

Supervisor Gonzalez

Charter Amendment (First Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

7/1/04, RECEIVED AND ASSIGNED to Rules Committee. 7/2/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Dept. of the Environment; Aging and Adult Services; San Francisco Unified School District; Clerk of the Board; Budget Analyst's Office.

7/1/04, CONTINUED. Divided from File 040597 and continued to 7/8/04.

Heard in Committee. Speakers: Margaret Barron; Ann Hintin; Vern Haile; Ed Chu; Jimmy Quock; Bruce Kuthberton; David Pilpel; Tom Owen, Deputy City Attorney; Peg Stevenson, Controller's Office. To Board as a Committee Report, Tuesday, July 13, 2004.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

- 040982 [Charter Amendment - Board of Education compensation]

Supervisor Gonzalez

Charter amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100, to set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.

7/1/04, RECEIVED AND ASSIGNED to Rules Committee. 7/2/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; San Francisco Unified School District; Clerk of the Board; Budget Analyst's Office.

7/1/04, CONTINUED. Divided from File 040597 and continued to 7/8/04.

Heard in Committee. Speakers: Margaret Barron; Ann Hintin; Vern Haile; Ed Chu; Jimmy Quock; Bruce Kuthberton; David Pilpel; Tom Owen, Deputy City Attorney; Peg Stevenson, Controller's Office.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100, to set the annual compensation of elected members of the Board of Education at \$20,000.

Continued to 7/12/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]**Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick**

Charter amendment (Second Draft) adding Section 13.111 to authorize San Francisco residents 18 years of age or older either who have children in the San Francisco Unified School District or who serve as legal guardians or caregivers for children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04 Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; Clerk of the Board; Budget Analyst's Office; Dept. of Elections; San Francisco Unified School District.

6/23/04, CONTINUED. Heard in Committee Speakers: Male Speaker, Ted Wong; Male Speaker, Frederico Fernandez; Jean Peppy; Sylvia Alvarez-Lynch; Chia Malick; Gizelle Merrick; David Chew.

Continued 7/1/04.

7/1/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Carlos Petroni, Female Speaker, Day Labor Program; Elizabeth Michaels; Allen Wong; Alexis Pope; Mike Mack; Jay Howell; Tara Kinney; Female Speaker, Wendall Lim; Diana Pang; Female Speaker.

7/1/04 Amendment of the Whole Bearing New Title

7/1/04, CONTINUED. Continued to 7/8/04

Heard in Committee. Speakers: Alexis Pope; Female Speaker; Male Speaker; Carol Lee; Chia Malick; Carlos Petroni; David Chew; Male Speaker; John Arntz, Department of Elections.

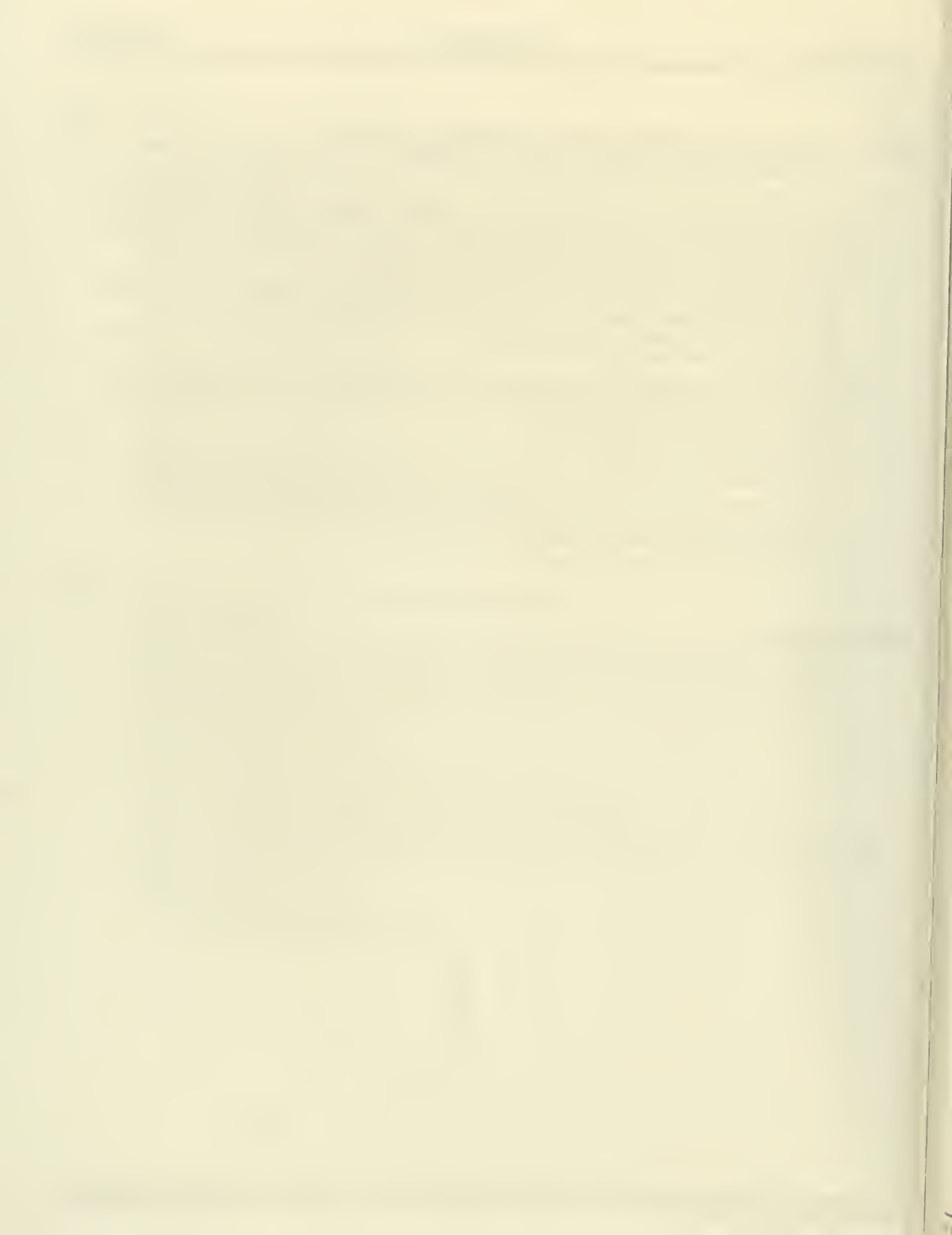
To Board as a Committee Report, Tuesday, July 13, 2004.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 3:00 p.m.





City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

[All Committees]

SF Public Library

Govt. Information Center, 5th Flr.

ATTN: Michael Sherrod-Flores

Monday, July 12, 2004

11:00 AM

Legislative Chambers, Second Floor

Special Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

DOCUMENTS DEPT.

MEETING CONVENED

JUL 14 2004

SAN FRANCISCO
PUBLIC LIBRARY

The meeting convened at 11:14 a.m.

REGULAR AGENDA

040688 [Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]

Supervisor Daly

Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

(Fiscal impact.)

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004

6/8/04, SUBSTITUTED. Supervisor Daly submitted a substitute Motion bearing same title.

6/8/04, ASSIGNED to Rules Committee

6/14/04, REFERRED TO DEPARTMENT. Referred to Controller for review and comment.

7/7/04, RESPONSE RECEIVED. Should the proposed ordinance be adopted, in my opinion, there would be unknown and potentially significant increases to the cost of government.

7/7/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers. Supervisor Daly, Doug Comstock; Sue Cauthen; Amy Ackerman and Ted Lakey, Deputy City Attorneys; Bruce Brugmann, Bay Guardian, Dale Butler, Local 790; Male Speaker, Project Open Hand; Female Speaker, Female Speaker, Richard Heasley; Female Speaker, SF Human Services Network; David Parker; David Pilpel, Female Speaker; Bill Barnes, Legislative Aide to Supervisor Daly

7/7/04 Amendment of the Whole Bearing Same Title

7/7/04, CONTINUED. Continued to 7/12/04

Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Francisco DaCosta; David Pilpel; Doug Comstock; David Parker; Heather Sterner; Sue Cauthen; Bruce Brugman; Kathy Black.

7/12/04 Amendment of the Whole Bearing Same Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Continued to 7/21/04.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

**040647 [Charter Amendment - MTA budget; Director's contract and salary cap; Board veto of service reductions; voter-approved ordinances; biennial quality review]
Supervisor Sandoval**

Charter amendment (Third Draft) by amending Sections 8A.102, 8A.103, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Municipal Transportation Agency must comply with voter-approved ordinances; the Agency's service standards shall be modified; the Board of Supervisors may reject proposed service reductions; the Director of Transportation and the Controller shall develop budget reporting standards for the Agency; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

5/18/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Municipal Transportation Agency; Budget Analyst's Office; Clerk of the Board

6/23/04, CONTINUED. Heard in Committee. Speakers: Arthur Shell; Sylvia Alvarez-Lynch; Male Speaker; Ray Fisher; Ruth Williams Stewart; Marc Solomon; Male Speaker; Howard Strassner; Chris Flynn; David Tornheim.
Continued to 7/1/04.

7/1/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Sandoval; Jim Lazarus, SPUR; Andrew Sullivan, Rescue MUNI; Tom Radulovich, TLC; David Tornheim, Central City Progressives; Glenda Lavyne, Local 200; David Pilpel; Daniel Murphy, Rescue MUNI; Judson True, Legislative Aide to Supervisor Sandoval.

7/1/04 Amendment of the Whole Bearing Same Title

7/1/04, CONTINUED. Continued to 7/8/04.

7/8/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Judson True, Legislative Aide to Supervisor Sandoval; Supervisor Sandoval; Jose Cisneros, MTA, Ted Lakey, Deputy City Attorney; Tom Radulovich, BART; Sylvia Alvarez-Lynch; Glenda Lavyne, Local 200; William Ciss, Local 250; Judy Triantos, Local 790; Female Speaker, Local 790; Andrew Sullivan, Rescue MUNI; David Pilpel; Male Speaker; Greg Wagner, SPUR; Daniel Murphy, Rescue MUNI; David Tornheim; John Silverman; Richard Robinson; Joe Speaks, MTA.

7/8/04 Amendment of the Whole Bearing New Title

7/8/04, CONTINUED. Continued to 7/12/04.

Heard in Committee. Speakers: Judson True, Legislative Aide to Supervisor Sandoval; Eduardo Bowsi; Sylvia Alvarez-Lynch; Andrew Sullivan, Rescue MUNI; Daniel Murphy, Rescue MUNI; Herbert Weiner; Kathleen McCallum; Glenda Lavyne, Local 200; Female Speaker; Marc Solomon; Susan King; Nicole Walter; Francisco DaCosta; David Pilpel.

To Board as a Committee Report, Tuesday, July 13, 2004.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

**040982 [Charter Amendment - Board of Education salaries]
Supervisor Gonzalez**

Charter amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100, to set the annual compensation of elected members of the Board of Education at \$20,000.

7/1/04, RECEIVED AND ASSIGNED to Rules Committee. 7/2/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning, Environmental Review Officer; San Francisco Unified School District; Clerk of the Board; Budget Analyst's Office.

7/1/04, CONTINUED. Divided from File 040597 and continued to 7/8/04

7/8/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Margaret Barron; Ann Hintin; Vern Haile; Ed Chu; Jimmy Quock; Bruce Kuthberton; David Pilpel, Tom Owen, Deputy City Attorney; Peg Stevenson, Controller's Office.

7/8/04, CONTINUED. Continued to 7/12/04.

Heard in Committee. Speakers: David Pilpel; Eduardo Bowsi.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 1:07 p.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

Wednesday, July 14, 2004

11:00 AM

City Hall, Room 263

Rescheduled Meeting

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Rules Committee on Wednesday, July 14, 2004, at 10:00 a.m. HAS BEEN RESCHEDULED TO Wednesday, July 14, 2004 at 11:00 a.m. and will be held in Room 263, Second Floor, City Hall.

DOCUMENTS DEPT.

Note: Each item on the Consent or Regular agenda may include the following documents **JUL 14 2004**

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

**SAN FRANCISCO
PUBLIC LIBRARY**

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

1. 041019 [Appointment - Ballot Simplification Committee]
Hearing to consider appointing one member to the Ballot Simplification Committee.

1 Seat Being Considered.

Vacant Seat, succeeding John Odell, resigned, Seat 1, must represent the National Academy of Television Arts and Sciences Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2004.

7/8/04, RECEIVED AND ASSIGNED to Rules Committee.

1 Seat/1 Applicant

Alma Carroll, Seat 1

2. 040951 [Appointment, Board of Appeals]

Motion approving the Board of Supervisors President's appointment of Randall Knox to the Board of Appeals for the term ending July 1, 2006. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)

Transmittal date - June 29, 2004

6/29/04, RECEIVED AND ASSIGNED to Rules Committee.

3. 040952 [Appointment, Board of Appeals]

Motion rejecting the Board of Supervisors President's appointment of Randall Knox to the Board of Appeals, for the term ending July 1, 2006. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)

Transmittal date - June 29, 2004

6/29/04, RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

There are no items now pending under the 30-day rule

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

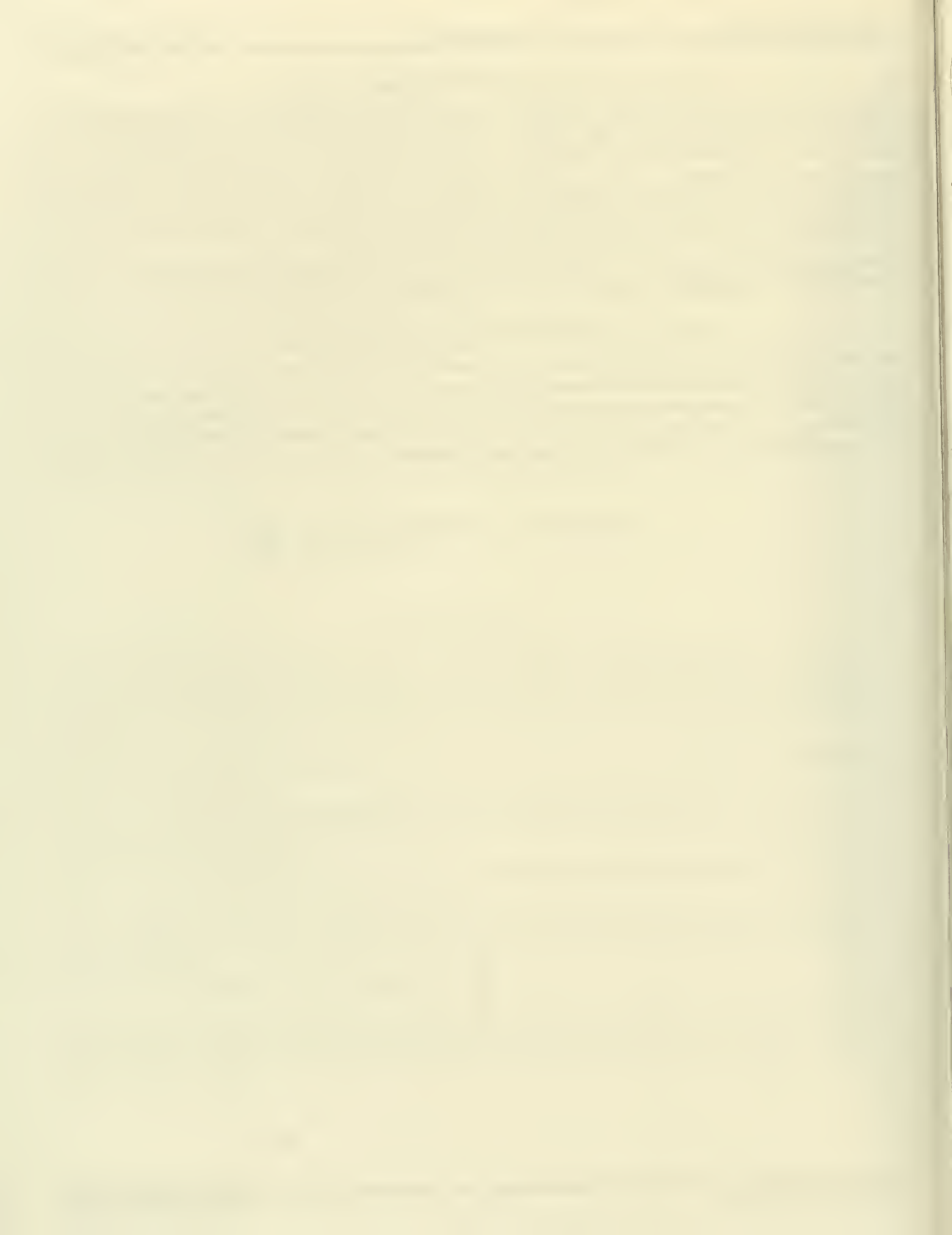
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics





City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

All Committees]
Government Document Section
Main Library

Wednesday, July 14, 2004

11:00 AM

City Hall, Room 263

Rescheduled Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez, Aaron Peskin.

MEETING CONVENED

The meeting convened at 11:03 a.m. Board President Gonzalez appointed Supervisor Peskin to serve on the Rules Committee for today's meeting only, in place of the Board President for items 2 and 3.

REGULAR AGENDA

041019 [Appointment - Ballot Simplification Committee]

Hearing to consider appointing one member to the Ballot Simplification Committee.

1 Seat Being Considered.

Vacant Seat, succeeding John Odell, resigned, Seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2004.

7/8/04, RECEIVED AND ASSIGNED to Rules Committee

Heard in Committee. Speakers: Alma Carroll; Marc Solomon; Betty Packard.

Appointment of Alma Carroll, Seat 1.

PREPARED IN COMMITTEE AS A RESOLUTION:

Resolution appointing Alma Carroll, term ending November 30, 2004, to the Ballot Simplification Committee.

Alma Carroll, succeeding John Odell, resigned, Seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2004.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040951 [Appointment, Board of Appeals]

Motion approving the Board of Supervisors President's appointment of Randall Knox to the Board of Appeals for the term ending July 1, 2006. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)

Transmittal date - June 29, 2004

6/29/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Gonzalez; Randall Knox; Eileen Boken.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

DOCUMENTS DEPT.

JUL 16 2004

SAN FRANCISCO
PUBLIC LIBRARY**040952 [Appointment, Board of Appeals]**

Motion rejecting the Board of Supervisors President's appointment of Randall Knox to the Board of Appeals, for the term ending July 1, 2006. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)

Transmittal date - June 29, 2004

6/29/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Gonzalez; Randall Knox; Eileen Boken.

TABLED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

ADJOURNMENT

The meeting adjourned at 11:43 a.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, July 21, 2004

1:30 PM

Legislative Chamber, Second Floor

Rescheduled Meeting

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Rules Committee on Wednesday, July 21, 2004, at 10:00 a.m. HAS BEEN RESCHEDULED TO Wednesday, July 21, 2004 at 1:30 p.m. and will be held in the Legislative Chambers, Second Floor, City Hall.

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

DOCUMENTS DEPT.

JUL 19 2004

SAN FRANCISCO
PUBLIC LIBRARY

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

1. 040119 [Appointment - Asthma Task Force]

Hearing to consider appointing four members to the Asthma Task Force.

4 seats being considered

Vacant seat, succeeding Deanna Rossi, resigned, seat 3, must be a representative of childcare coordinating/advocacy organizations and is a voting member; for the unexpired portion of a two-year term ending June 30, 2005.

Vacant seat, new position, seat 12, must be a representative of MediCal Managed Care Insurers and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Vacant seat, new position, seat 21, must be an individual who represents property interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.

Vacant seat, succeeding Michael Walter Green, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.

1/26/04, RECEIVED AND ASSIGNED to Rules Committee. 5/20/04: Applicants notified of May 26, 2004 meeting.

5/26/04, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

4 Seats/3 Applicants

Gretchen Skaggs, Lucille M. Valdivia, Seat 3

David J. Villa-lobos, Seat Undeclared

7/14/04: Applicants Notified of Meeting.

2. 040905 [Appointment-Surplus Property Citizens' Advisory Committee]

Hearing to consider appointing eight (8) members to the Surplus Property Citizens' Advisory Committee.

8 Seats Being Considered

Vacant Seat, new position, Seat 1, must have expertise in the area of developing permanent housing for homeless people and those at-risk of homelessness, for a term to be determined.

Vacant Seat, new position, Seat 2, must have experience in providing supportive services to help individuals and families exit homelessness, for a term to be determined.

Vacant Seat, new position, Seat 3, must hold a Real Estate and/or Broker's license, for a term to be determined.

Vacant Seat, new position, Seat 4, must be currently or formerly homeless, for a term to be determined.

Vacant Seat, new position, Seat 5, must be currently or formerly homeless with their family or is an advocate or service provider for homeless families, for a term to be determined.

Vacant Seat, new position, Seat 6, must be a member of a union, for a term to be determined.

Vacant Seat, new position, Seat 7, must have expertise with disability community issues, for a term to be determined.

Vacant Seat, new position, Seat 8, must be a homeless senior citizen or an advocate or service provider for homeless senior citizens, for a term to be determined.

6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

8 Seats/14 Applicants

Bryan Finoki, James Reilly, Seat 1

Jamie Armstrong, Seats 2, 4, 5

Scott Clark, Seats 2, 4, 7

Barbara Jo Boice, Seats 4, 5, 8

Richard Lee, Seat 3

Dennis Roozen, Seats 2, 9

Steven Chester, Seat 4

Veronica Ann Hutch, Seats 2, 5

Ana B. Gutierrez, Seats 4, 5, 7

Jay Bradshaw, Seat 6

Leroy F. Moore, Jr., Seat 7, residency waiver required.

Sister Bernie Galvin, cdp; Ryan Chao, seat undeclared.

7/14/04: Applicants notified of meeting.

3. 040856 [Department of Elections Conflict of Interest Code]

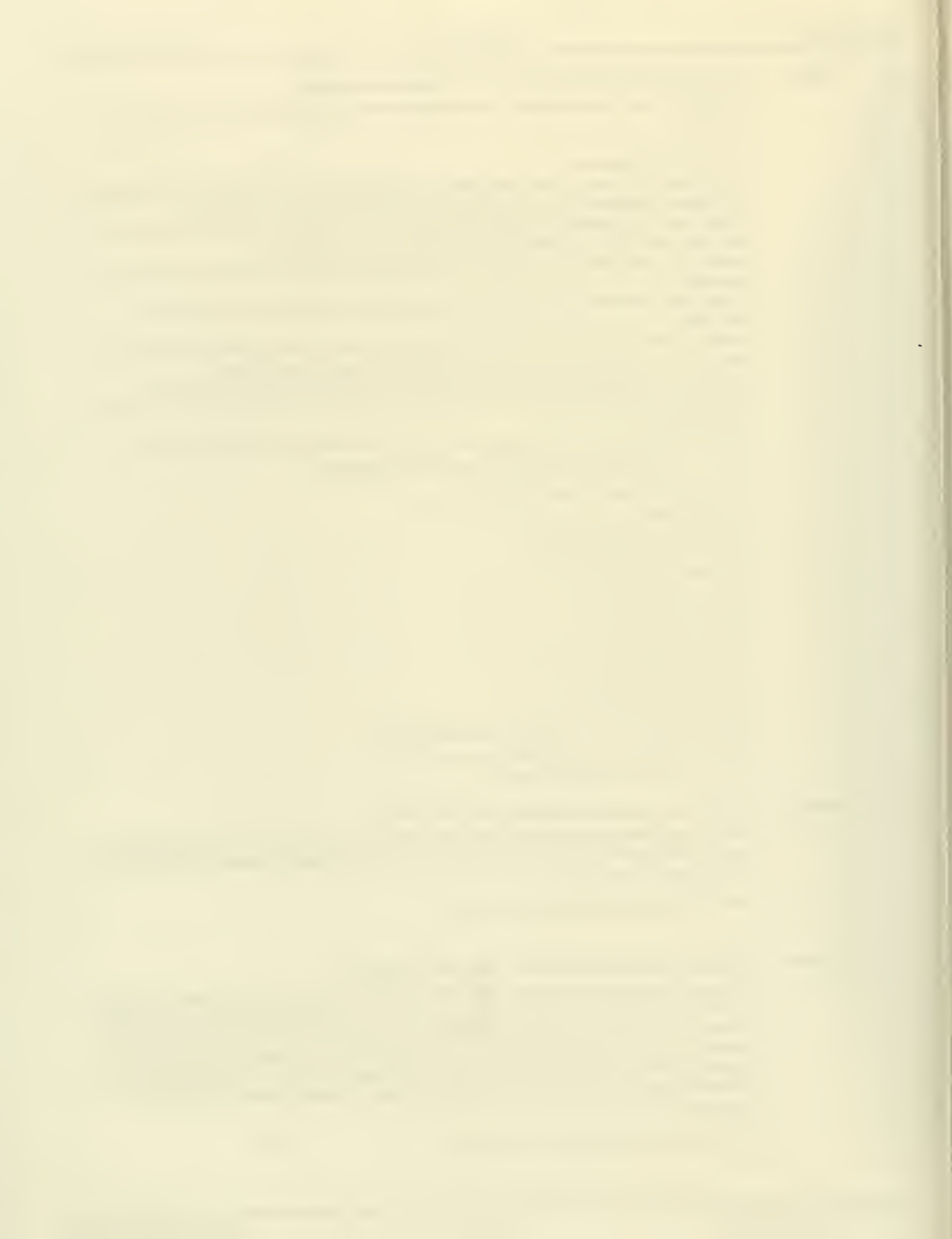
Ordinance amending Campaign and Governmental Conduct Code section 3.1-215 to update the Department of Elections and Elections Commission conflict of interest code and financial disclosure rules. (Elections Department)

6/8/04, RECEIVED AND ASSIGNED to Rules Committee.

4. 040980 [Deadlines for correction and review of ballot arguments]

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election. (Elections Department)

7/9/04, RECEIVED AND ASSIGNED to Rules Committee.



5. **040883 [Directing the Clerk of the Board of Supervisors to submit the Incompatible Activities Statement to the Ethics Commission]**
Motion directing the Clerk of the Board of Supervisors to submit the Incompatible Activities Statement to the Ethics Commission. (Clerk of the Board)

6/15/04, RECEIVED AND ASSIGNED to Rules Committee.
6. **040685 [Establishing and administering a Supplemental Tax Deferred Plan]**
Supervisor Sandoval
Ordinance adding Sections 16.62 through 16.62-3 to the San Francisco Administrative Code.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.
6/3/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.
6/15/04, RESPONSE RECEIVED. No Comment.
7. **040688 [Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]**
Supervisor Daly
Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

(Fiscal impact.)

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.
6/8/04, SUBSTITUTED. Supervisor Daly submitted a substitute Motion bearing same title.
6/8/04, ASSIGNED to Rules Committee.
6/14/04, REFERRED TO DEPARTMENT. Referred to Controller for review and comment.
7/7/04, RESPONSE RECEIVED. Should the proposed ordinance be adopted, in my opinion, there would be unknown and potentially significant increases to the cost of government.
7/7/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Daly; Doug Comstock; Sue Cauthen; Amy Ackerman and Ted Lakey, Deputy City Attorneys; Bruce Brugmann, Bay Guardian; Dale Butler, Local 790; Male Speaker, Project Open Hand; Female Speaker, Female Speaker, Richard Heasley; Female Speaker, SF Human Services Network; David Parker; David Pilpel; Female Speaker; Bill Barnes, Legislative Aide to Supervisor Daly.
7/7/04 Amendment of the Whole Bearing Same Title
7/7/04, CONTINUED. Continued to 7/12/04.
7/12/04, REFERRED TO DEPARTMENT. Referred to the Planning Dept. Environmental Review Section and Deputy City Attorney for review.
7/12/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Francisco DaCosta; David Pilpel; Doug Comstock; David Parker; Heather Sterner; Sue Cauthen; Bruce Brugman; Kathy Black.
7/12/04 Amendment of the Whole Bearing Same Title
7/12/04, CONTINUED AS AMENDED. Continued to 7/21/04.
7/13/04, RESPONSE RECEIVED. Planning Department indicated that this item is not subject to the California Environmental Quality Act (CEQA) as defined in California Public Resources Codes Section 21065 and CEQA Guidelines Sections 15060(c)(3) and 15378.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

**040988 [Prohibiting Disclosure of Contractors Performance]
Supervisors McGoldrick, Peskin, Maxwell, Ammiano, Gonzalez**

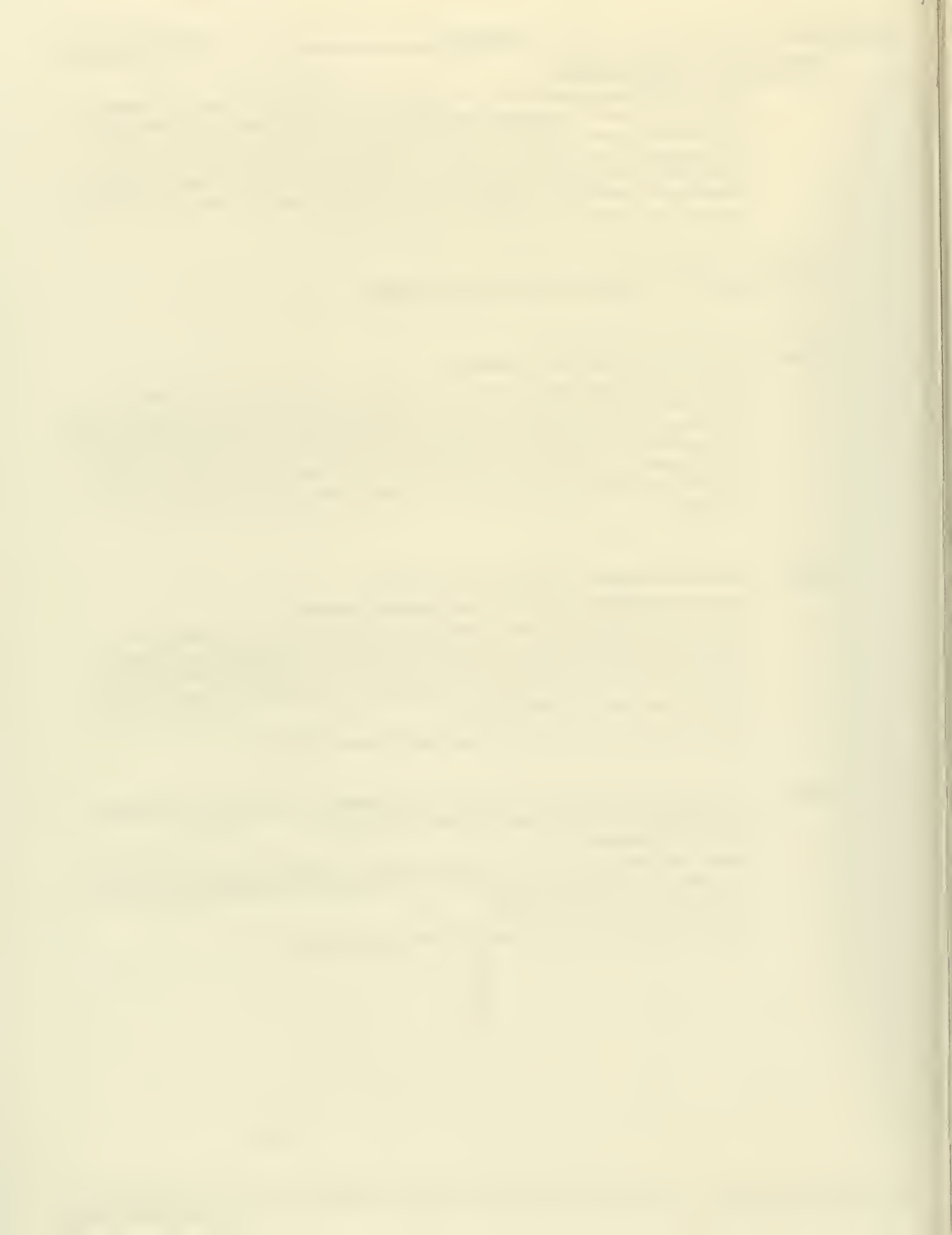
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12M to prohibit contractors from disclosing to any person or entity private information about individuals obtained from the City and County in the performance of the contract unless the contract authorizes the disclosure, the contractor first obtains the written approval of the contracting department, or the disclosure is authorized or required by law.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004.

**040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]
Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004.



Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

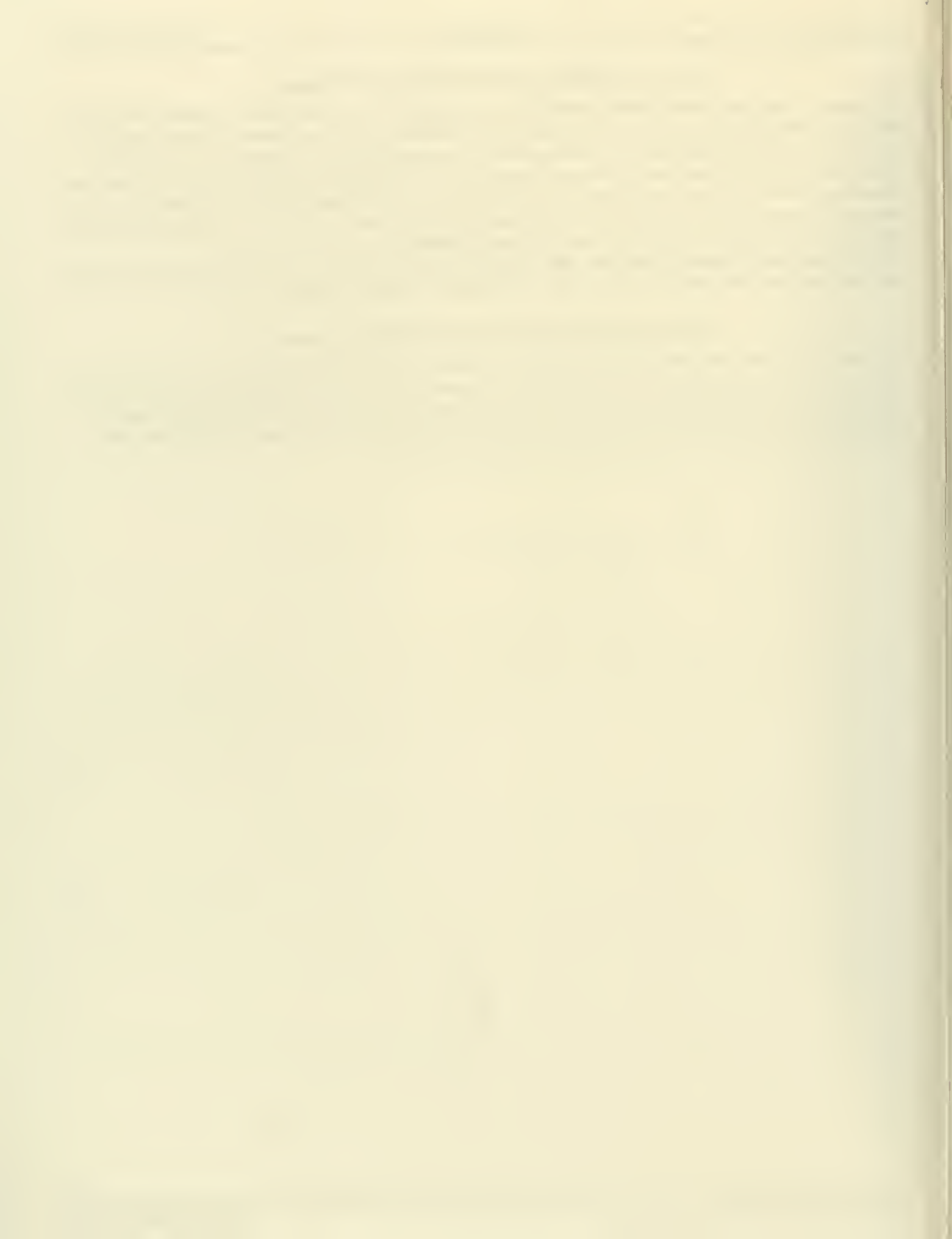
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics





Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, July 21, 2004

1:30 PM

Legislative Chamber, Second Floor

Rescheduled Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED

DOCUMENTS DEPT.

JUL 26 2004

The meeting convened at 1:44 p.m.

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR AGENDA

040119 [Appointment - Asthma Task Force]

Hearing to consider appointing four members to the Asthma Task Force.

4 seats being considered

Vacant seat, succeeding Deanna Rossi, resigned, seat 3, must be a representative of childcare coordinating/advocacy organizations and is a voting member; for the unexpired portion of a two-year term ending June 30, 2005.

Vacant seat, new position, seat 12, must be a representative of MediCal Managed Care Insurers and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Vacant seat, new position, seat 21, must be an individual who represents property interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.

Vacant seat, succeeding Michael Walter Green, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.

1/26/04, RECEIVED AND ASSIGNED to Rules Committee. 5/20/04 Applicants notified of May 26, 2004 meeting

5/26/04, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

Heard in Committee. Speakers: Gretchen Skaggs; Lucille Valdivia.

Appointments of Gretchen Skaggs, seat 3, Lucille Valdivia, seat 22, recommended

Seats 12 and 21 remain unfilled.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Gretchen Skaggs and Lucille Valdivia, term ending June 30, 2005, to the Asthma Task Force.

Gretchen Skaggs, succeeding Deanna Rossi, resigned, seat 3, must be a representative of child care coordinating/advocacy organizations and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Lucille Valdivia, succeeding Michael Walter Green, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040905 [Appointment-Surplus Property Citizens' Advisory Committee]

Hearing to consider appointing eight (8) members to the Surplus Property Citizens' Advisory Committee.

8 Seats Being Considered

Vacant Seat, new position, Seat 1, must have expertise in the area of developing permanent housing for homeless people and those at-risk of homelessness, for a term to be determined.

Vacant Seat, new position, Seat 2, must have experience in providing supportive services to help individuals and families exit homelessness, for a term to be determined.

Vacant Seat, new position, Seat 3, must hold a Real Estate and/or Broker's license, for a term to be determined.

Vacant Seat, new position, Seat 4, must be currently or formerly homeless, for a term to be determined.

Vacant Seat, new position, Seat 5, must be currently or formerly homeless with their family or is an advocate or service provider for homeless families, for a term to be determined.

Vacant Seat, new position, Seat 6, must be a member of a union, for a term to be determined.

Vacant Seat, new position, Seat 7, must have expertise with disability community issues, for a term to be determined.

Vacant Seat, new position, Seat 8, must be a homeless senior citizen or an advocate or service provider for homeless senior citizens, for a term to be determined.

6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: James Reilly; Jamie Armstrong; Scott Clark, Male Speaker; Richard Lee; Steven Chester; Ana Gutierrez; Leroy Moore; Sister Bernie Galvin; Joyce Vadin; Ted Lakey, Deputy City Attorney.

Appointments of James Reilly, seat 1, Jamie Armstrong, seat 2, Richard Lee, seat 3, Scott Clark, seat 4, Ana Gutierrez, seat 5, Leroy Moore, seat 7 (residency waived), Sister Bernie Galvin, seat 8, recommended. Seat 6 remains unfilled.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing James Reilly, Jamie Armstrong, Richard Lee, Scott Clark, Ana Gutierrez, Leroy Moore (residency requirement waived), Sister Bernie Galvin, terms to be determined, to the Surplus Property Citizens' Advisory Committee.

James Reilly, new position, Seat 1, must have expertise in the area of developing permanent housing for homeless people and those at-risk of homelessness, for a term to be determined.

Jamie Armstrong, new position, Seat 2, must have experience in providing supportive services to help individuals and families exit homelessness, for a term to be determined.

Richard Lee, new position, Seat 3, must hold a Real Estate and/or Broker's license, for a term to be determined.

Scott Clark, new position, Seat 4, must be currently or formerly homeless, for a term to be determined.

Ana Gutierrez, new position, Seat 5, must be currently or formerly homeless with their family or is an advocate or service provider for homeless families, for a term to be determined.

Leroy Moore (residency requirement waived), new position, Seat 7, must have expertise with disability community issues, for a term to be determined.

Sister Bernie Galvin, new position, Seat 8, must be a homeless senior citizen or an advocate or service provider for homeless senior citizens, for a term to be determined.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040856 [Department of Elections Conflict of Interest Code]

Ordinance amending Campaign and Governmental Conduct Code section 3.1-215 to update the Department of Elections and Elections Commission conflict of interest code and financial disclosure rules. (Elections Department)

6/8/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: John Arntz, Acting Director, Elections Department.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040980 [Deadlines for correction and review of ballot arguments]

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election. (Elections Department)

7/9/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: John Arntz, Acting Director, Elections Department.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040883 [Directing the Clerk of the Board of Supervisors to submit the Incompatible Activities Statement to the Ethics Commission]

Motion directing the Clerk of the Board of Supervisors to submit the Incompatible Activities Statement to the Ethics Commission. (Clerk of the Board)

6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Gloria Young, Clerk of the Board of Supervisors; Ted Lakey, Deputy City Attorney.

To Board as a Committee Report, Tuesday, July 27, 2004.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

**040685 [Establishing and administering a Supplemental Tax Deferred Plan]
Supervisor Sandoval**

Ordinance adding Sections 16.62 through 16.62-3 to the San Francisco Administrative Code.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

6/3/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

6/15/04, RESPONSE RECEIVED. No Comment.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040688 [Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]

Supervisor Daly

Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

(Fiscal impact.)

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

6/8/04, SUBSTITUTED. Supervisor Daly submitted a substitute Motion bearing same title

6/8/04, ASSIGNED to Rules Committee.

6/14/04, REFERRED TO DEPARTMENT. Referred to Controller for review and comment.

7/7/04, RESPONSE RECEIVED. Should the proposed ordinance be adopted, in my opinion, there would be unknown and potentially significant increases to the cost of government.

7/7/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Daly, Doug Comstock; Sue Cauthen; Amy Ackerman and Ted Lakey, Deputy City Attorneys; Bruce Brugmann, Bay Guardian; Dale Butler, Local 790; Male Speaker, Project Open Hand; Female Speaker, Female Speaker; Richard Heasley; Female Speaker, SF Human Services Network; David Parker; David Pilpel; Female Speaker, Bill Barnes, Legislative Aide to Supervisor Daly.

7/7/04 Amendment of the Whole Bearing Same Title

7/7/04, CONTINUED. Continued to 7/12/04.

7/12/04, REFERRED TO DEPARTMENT. Referred to the Planning Dept. Environmental Review Section and Deputy City Attorney for review.

7/12/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Francisco DaCosta; David Pilpel; Doug Comstock; David Parker; Heather Sterner; Sue Cauthen, Bruce Brugman; Kathy Black.

7/12/04 Amendment of the Whole Bearing Same Title

7/12/04, CONTINUED AS AMENDED. Continued to 7/21/04.

7/13/04, RESPONSE RECEIVED. Planning Department indicated that this item is not subject to the California Environmental Quality Act (CEQA) as defined in California Public Resources Codes Section 21065 and CEQA Guidelines Sections 15060(c)(3) and 15378

Heard in Committee. Speakers: Supervisor Daly; Male Speaker, Sunshine Ordinance Task Force; Cheryl Adams, Deputy City Attorney; Gloria Young, Clerk of the Board of Supervisors; Donna Hall, Administrator, Sunshine Ordinance Task Force; Male Speaker; Garrett Jenkins; Richard Knee; Ed Harrington, Controller.

7/21/04 Amendment of the Whole Bearing Same Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Continued to 7/27/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

ADJOURNMENT

The meeting adjourned at 4:56 p.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: *Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez*

Clerk: *Linda Laws*

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, July 27, 2004

11:00 AM

City Hall, Room 263

Special Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

REGULAR AGENDA

JUL 23 2004

SAN FRANCISCO
PUBLIC LIBRARY

1. 040667 [Declaration of Policy Concerning San Francisco Transactions and Use Tax Expenditures]
Supervisor Ammiano

Motion submitting a declaration of policy to the qualified electors of the City and County of San Francisco at the November 2, 2004 election concerning the voters' non-binding recommendation that the proposed one-quarter of one percent (0.25%) San Francisco Transactions and Use Tax be expended to support and expand programs for low-income, vulnerable communities, including seniors, the disabled, children and homeless individuals and families.

7/20/04, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the 7/27/04 Special Meeting at 1:00 p.m., as a Committee Report for Board agenda 7/27/04

2. 040688 [Open Government Ordinance to provide for more public accessibility to meetings and documents, more public participation and to safeguard the maintenance of records.]
Supervisor Daly
Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

(Fiscal impact.)

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

6/8/04, SUBSTITUTED. Supervisor Daly submitted a substitute Motion bearing same title.

6/8/04, ASSIGNED to Rules Committee.

6/14/04, REFERRED TO DEPARTMENT. Referred to Controller for review and comment.

7/7/04, RESPONSE RECEIVED. Should the proposed ordinance be adopted, in my opinion, there would be unknown and potentially significant increases to the cost of government.

7/7/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Daly; Doug Comstock; Sue Cauthen; Amy Ackerman and Ted Lakey, Deputy City Attorneys; Bruce Brugmann, Bay Guardian; Dale Butler, Local 790; Male Speaker, Project Open Hand; Female Speaker, Female Speaker; Richard Heasley; Female Speaker, SF Human Services Network; David Parker; David Pilpel; Female Speaker; Bill Barnes, Legislative Aide to Supervisor Daly

7/7/04 Amendment of the Whole Bearing Same Title

7/7/04, CONTINUED. Continued to 7/12/04.

7/12/04, REFERRED TO DEPARTMENT. Referred to the Planning Dept. Environmental Review Section and Deputy City Attorney for review.

7/12/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Daly; Francisco DaCosta; David Pilpel; Doug Comstock; David Parker; Heather Sterner; Sue Cauthen; Bruce Brugman; Kathy Black.

7/12/04 Amendment of the Whole Bearing Same Title

7/12/04, CONTINUED AS AMENDED. Continued to 7/21/04.

7/13/04, RESPONSE RECEIVED. Planning Department indicated that this item is not subject to the California Environmental Quality Act (CEQA) as defined in California Public Resources Codes Section 21065 and CEQA Guidelines Sections 15060(c)(3) and 15378.

7/21/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Daly; Male Speaker, Sunshine Ordinance Task Force; Cheryl Adams, Deputy City Attorney; Gloria Young, Clerk of the Board of Supervisors; Donna Hall, Administrator, Sunshine Ordinance Task Force; Male Speaker; Garrett Jenkins; Richard Kneec; Ed Harrington, Controller.

7/21/04 Amendment of the Whole Bearing Same Title

7/21/04, CONTINUED. Continued to 7/27/04.

ADJOURNMENT

IMPORTANT INFORMATION

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LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

040988 [Prohibiting Disclosure of Contractors Performance]

Supervisors McGoldrick, Peskin, Maxwell, Ammiano, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12M to prohibit contractors from disclosing to any person or entity private information about individuals obtained from the City and County in the performance of the contract unless the contract authorizes the disclosure, the contractor first obtains the written approval of the contracting department, or the disclosure is authorized or required by law.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004

040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]

Supervisor McGoldrick

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004.

Meeting Procedures

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翻譯 必須在會議前最少四十八小時提出要求
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Know Your Rights Under the Sunshine Ordinance

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City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, July 28, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

JUL 23 2004

REGULAR AGENDA

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1. 040359 [Appointment - Childhood Nutrition & Physical Activity Task Force]
Hearing to consider appointing one member to the Childhood Nutrition & Physical Activity Task Force.

Vacant seat, new position, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one-year term ending December 12, 2004.

3/18/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/1 applicant

Constance Mourning, seat 3

2. 041049 [Appointment - Child Care Planning and Advisory Council]
Hearing to consider appointing one member to the Child Care Planning and Advisory Council.

1 seat being considered

Vacant Seat, seat 8, must be a nominee of District 8 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative"; for the unexpired portion of a three-year term ending December 31, 2006.

7/22/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/1 applicant

Rita Times, seat 8, residency waiver required

3. 041050 [Appointment - Veterans Affairs Commission]
Hearing to consider appointing one member to the Veterans Affairs Commission.

1 seat being considered

Vacant seat, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.

7/22/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/1 applicant

Robert Hamblen, Jr., seat 10

4. 041051 [Appointment - Immigrant Rights Commission]
Hearing to consider appointing five members to the Immigrant Rights Commission.

5 seats being considered

Vacant seat, succeeding Vera Haile, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Vacant seat, succeeding Saif Ataya, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Vacant seat, succeeding Tamara Ribas, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Vacant seat, succeeding Larisa Casillas, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Vacant seat, succeeding Houston Zheng, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

7/22/04, RECEIVED AND ASSIGNED to Rules Committee.

5 seats/ 5 applicants

Vera Haile, seat 1

Gilbert Alexander, Solomon Jones, Ivy Lee, Houston Zheng, seats undeclared

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

5. 040712 **[Settlement of Lawsuit - Ray Mizyed and Gary Thompson]**
Ordinance authorizing settlement of Ray Mizyed's claims in the lawsuit filed by Ray Mizyed and Gary Thompson against the City and County of San Francisco for \$135,000; the lawsuit was filed on May 14, 2003, in the United States District Court for the Northern District of California, Case No. CV 03-02243 WDB, entitled Ray Mizyed, Gary Thompson v. City and County of San Francisco, Johnny Miller, Jesse Williams, Donald Sanders, Mercedes Hernandez, Gwendolyn Tucker. (City Attorney)

6/3/04, RECEIVED AND ASSIGNED to Rules Committee.
6. 040713 **[Settlement of Lawsuit [Partial Settlement] - Ki-Man Song, et al.]**
Ordinance authorizing partial settlement of the lawsuit filed by Ki-Man Song, Young Soo Lee, Leobardo Trejo, Suk In Yi, Chae Hun Yi, and James Nam against the City and County of San Francisco for \$280,540; the lawsuit was filed on June 3, 2003 in United States District Court, Northern District of California, Case No. C03 2580; entitled Ki-Man Song, et al. v. Jin Construction & Electric Co., et al.; other material terms of said settlement are material terms. (City Attorney)

6/3/04, RECEIVED AND ASSIGNED to Rules Committee.
7. 040860 **[Settlement of Lawsuit - Sixta Santiago]**
Ordinance authorizing settlement of the lawsuit filed by Sixta Santiago against the City and County of San Francisco for \$115,000; the lawsuit was filed on December 12, 2003 in San Francisco Superior Court, Case No. CGC 03-426-777; entitled Sixta Santiago v. City and County of San Francisco, et al; other material terms of said settlement are that Plaintiff has agreed to retire from her position with the City. (City Attorney)

6/21/04, RECEIVED AND ASSIGNED to Rules Committee
8. 040895 **[Settlement of Lawsuit - Darius Hinton]**
Ordinance authorizing settlement of the lawsuit filed by Darius Hinton against the City and County of San Francisco for \$33,000; the lawsuit was filed on October 16, 2001 in San Francisco Superior Court, Case No. 400-292; entitled Darius Hinton, et al., v. City and County of San Francisco, et al. (City Attorney)

6/24/04, RECEIVED AND ASSIGNED to Rules Committee

9. 040897 [Settlement of Lawsuit - William Salazar and Amy Salazar]

Ordinance authorizing settlement of the lawsuit filed by William Salazar and Amy Salazar against the City and County of San Francisco for \$28,290 to William Salazar and \$6,210 to Amy Salazar; the lawsuit was filed on January 12, 2001 in San Francisco Superior Court, Case No. 318-098; entitled William Salazar and Amy Salazar v. City and County of San Francisco. (City Attorney)

7/1/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

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040988 [Prohibiting Disclosure of Contractors Performance]

Supervisors McGoldrick, Peskin, Maxwell, Ammiano, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12M to prohibit contractors from disclosing to any person or entity private information about individuals obtained from the City and County in the performance of the contract unless the contract authorizes the disclosure, the contractor first obtains the written approval of the contracting department, or the disclosure is authorized or required by law.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004

040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]

Supervisor McGoldrick

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

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City and County of San Francisco

Meeting Minutes Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

City Hall
1 Dr Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Clerk: Linda Laws

Wednesday, July 28, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Matt Gonzalez.

Members Absent: Michela Alioto-Pier.

DOCUMENTS DEPT.

AUG - 5 2004

SAN FRANCISCO
PUBLIC LIBRARY

MEETING CONVENED

The meeting convened at 10:23 a.m.

REGULAR AGENDA

040359 [Appointment - Childhood Nutrition & Physical Activity Task Force]

Hearing to consider appointing one member to the Childhood Nutrition & Physical Activity Task Force.

Vacant seat, new position, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one-year term ending December 12, 2004.

3/18/04, RECEIVED AND ASSIGNED to Rules Committee

Heard in Committee. Speaker: Constance Mourning, applicant.

Appointment of Constance Mourning, seat 3.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Constance Mourning, for the unexpired portion of a one-year term ending December 12, 2004, to the Childhood Nutrition & Physical Activity Task Force.

Constance Mourning, new appointment, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one-year term ending December 12, 2004.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

041049 [Appointment - Child Care Planning and Advisory Council]

Hearing to consider appointing one member to the Child Care Planning and Advisory Council.

1 seat being considered

Vacant Seat, seat 8, must be a nominee of District 8 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative"; for the unexpired portion of a three-year term ending December 31, 2006.

7/22/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Rita Times, applicant.

Appointment of Rita Times, seat 8, residency requirement waived.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Rita Times, for the unexpired portion of a three-year term ending December 31, 2006, to the Child Care Planning and Advisory Council; residency requirement waived.

Rita Times, new appointment, seat 8, must be a nominee of District 8 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative"; for the unexpired portion of a three-year term ending December 31, 2006.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

041050 [Appointment - Veterans Affairs Commission]

Hearing to consider appointing one member to the Veterans Affairs Commission.

1 seat being considered

Vacant seat, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.

7/22/04, RECEIVED AND ASSIGNED to Rules Committee.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

041051 [Appointment - Immigrant Rights Commission]

Hearing to consider appointing five members to the Immigrant Rights Commission.

5 seats being considered

Vacant seat, succeeding Vera Haile, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Vacant seat, succeeding Saif Ataya, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Vacant seat, succeeding Tamara Ribas, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Vacant seat, succeeding Larisa Casillas, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Vacant seat, succeeding Houston Zheng, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

7/22/04, RECEIVED AND ASSIGNED to Rules Committee

Heard in Committee. Speakers: Vera Haile, Gilbert Alexander, Solomon Jones, Houston Zheng, Ivy Lee, applicants; Richard Ow; Male Speaker, Dang Pham, Immigrant Rights Commission.

Appointment of Vera Haile, seat 1, Gilbert Alexander, seat 2, Solomon Jones, seat 3, Ivy Lee, seat 5, Houston Zheng, seat 9.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Vera Haile, Gilbert Alexander, Solomon Jones, Ivy Lee and Houston Zheng, terms ending June 6, 2006, to the Immigrant Rights Commission.

Vera Haile, succeeding herself, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Gilbert Alexander, succeeding Saif Ataya, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Solomon Jones, succeeding Tamara Ribas, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Ivy Lee, succeeding Larisa Casillas, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Houston Zheng, succeeding himself, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040712 [Settlement of Lawsuit - Ray Mizyed and Gary Thompson]

Ordinance authorizing settlement of Ray Mizyed's claims in the lawsuit filed by Ray Mizyed and Gary Thompson against the City and County of San Francisco for \$135,000; the lawsuit was filed on May 14, 2003, in the United States District Court for the Northern District of California, Case No. CV 03-02243 WDB, entitled Ray Mizyed, Gary Thompson v. City and County of San Francisco, Johnny Miller, Jesse Williams, Donald Sanders, Mercedes Hernandez, Gwendolyn Tucker. (City Attorney)

6/3/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040713 [Settlement of Lawsuit [Partial Settlement] - Ki-Man Song, et al.]

Ordinance authorizing partial settlement of the lawsuit filed by Ki-Man Song, Young Soo Lee, Leobardo Trejo, Suk In Yi, Chae Hun Yi, and James Nam against the City and County of San Francisco for \$280,540; the lawsuit was filed on June 3, 2003 in United States District Court, Northern District of California, Case No. C03 2580; entitled Ki-Man Song, et al. v. Jin Construction & Electric Co., et al.; other material terms of said settlement are material terms. (City Attorney)

6/3/04, RECEIVED AND ASSIGNED to Rules Committee.

Speaker: Sabrina Hernandez.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040860 [Settlement of Lawsuit - Sixta Santiago]

Ordinance authorizing settlement of the lawsuit filed by Sixta Santiago against the City and County of San Francisco for \$115,000; the lawsuit was filed on December 12, 2003 in San Francisco Superior Court, Case No. CGC 03-426-777; entitled Sixta Santiago v. City and County of San Francisco, et al; other material terms of said settlement are that Plaintiff has agreed to retire from her position with the City. (City Attorney)

6/21/04, RECEIVED AND ASSIGNED to Rules Committee

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040895 [Settlement of Lawsuit - Darius Hinton]

Ordinance authorizing settlement of the lawsuit filed by Darius Hinton against the City and County of San Francisco for \$33,000; the lawsuit was filed on October 16, 2001 in San Francisco Superior Court, Case No. 400-292; entitled Darius Hinton, et al., v. City and County of San Francisco, et al. (City Attorney)

6/24/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040897 [Settlement of Lawsuit - William Salazar and Amy Salazar]

Ordinance authorizing settlement of the lawsuit filed by William Salazar and Amy Salazar against the City and County of San Francisco for \$28,290 to William Salazar and \$6,210 to Amy Salazar; the lawsuit was filed on January 12, 2001 in San Francisco Superior Court, Case No. 318-098; entitled William Salazar and Amy Salazar v. City and County of San Francisco. (City Attorney)

7/1/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

ADJOURNMENT

The meeting adjourned at 11:42 a.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, August 11, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

DOCUMENTS DEPT

AGENDA CHANGES

AUG - 6 2004

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REGULAR AGENDA

1. 040904 [Appointment - San Francisco Bay Conservation and Development Commission]
Supervisor Peskin
Resolution appointing David Owen, indefinite term, as an alternate member of the San Francisco Bay Conservation and Development Commission.
7/20/04, RECEIVED AND ASSIGNED to Rules Committee
2. 040771 [Appointment - Bicycle Advisory Committee]
Hearing to consider appointing one member to the Bicycle Advisory Committee.

1 seat being considered
Vacant seat, succeeding Cynthia Powell, resignation, seat 9, must be a nominee of District 9 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

6/2/04, RECEIVED AND ASSIGNED to Rules Committee
6/16/04, CONTINUED TO CALL OF THE CHAIR. Speakers: None
1 seat/1 applicant
Francisco Hernandez, seat 9

3. **041105 [Appointment - SRO Hotel Safety and Stabilization Task Force]**
Hearing to consider appointing one member to the SRO Hotel Safety and Stabilization Task Force.
- 1 seat being considered
Vacant seat, succeeding Kiran Patel, resigned, seat 2, must be an owner or manager of SRO Hotel, for the unexpired portion of a term ending December 31, 2004.
- 7/29/04, RECEIVED AND ASSIGNED to Rules Committee.
1 seat/1 applicant
Henry Karnilowicz, seat 2
4. **041106 [Appointment - Library Citizens Advisory Committee]**
Hearing to consider appointing two members to the Library Citizens Advisory Committee.
- 2 seats being considered
Vacant seat, new appointment, seat 12, must be a member from the community at large, representative of senior citizens, for a two-year term ending July 18, 2006.
Vacant seat, new appointment, seat 13, must be a member from the community at large, representative of New Americans for whom English is a second language, for a two-year term ending July 18, 2006.
- 7/29/04, RECEIVED AND ASSIGNED to Rules Committee.
2 seats/4 applicants
Dennis Bianchi, Gayle Leyton, seat 12
Sue Cauthen, seats 12, 13
Arthur Lehrer, seat undeclared
5. **041107 [Appointment - Sunshine Ordinance Task Force]**
Hearing to consider appointing one member to the Sunshine Ordinance Task Force.
- 1 seat being considered
Vacant seat, succeeding Nicole Dogwill, resigned, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an attorney, for the unexpired portion of a two-year term ending April 27, 2006.
- 7/29/04, RECEIVED AND ASSIGNED to Rules Committee.
1 seat/1 applicant
Erica Craven, seat 1
6. **041108 [Appointment - Power Plant Task Force]**
Hearing to consider appointing one member to the Power Plant Task Force.
- 1 seat being considered
Vacant seat, new appointment, seat 8, must be the head of the San Francisco Labor Council or his/her designee, for the unexpired portion of a two-term ending November 1, 2005.
- 7/29/04, RECEIVED AND ASSIGNED to Rules Committee.
1 seat/1 applicant
John Kosinski, seat 8

7. **041109** **[Appointment - Asthma Task Force]**
Hearing to consider appointing one member to the Asthma Task Force.
- 1 seat being considered
Vacant seat, succeeding Ann Melamed, resigned, seat 7, must be a representative of an environmental health/justice organization and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.
- 7/29/04, RECEIVED AND ASSIGNED to Rules Committee.
1 seat/1 applicant
Neil Gendel, seat 7
8. **041110** **[Appointment - Childhood Nutrition and Physical Activity Task Force]**
Hearing to consider appointing two members to the Childhood Nutrition and Physical Activity Task Force.
- 2 seats being considered
Vacant seat, succeeding Manuel Jiminez, resigned, seat 5, must be a parent or guardian, for the unexpired portion of a one-year term ending December 12, 2004.
Vacant seat, succeeding Esther Rothblum, resigned, seat 8, must be a member of a civil rights organization addressing weight size discrimination, for the unexpired portion of a one-year term ending December 12, 2004.
- 7/29/04, RECEIVED AND ASSIGNED to Rules Committee.
2 seats/3 applicants
Kristine Madsen (residency waiver required), Erik Rosegard, seat 5
Marilyn Wamm, seat 8
9. **041111** **[Appointment - Assessment Appeals Board No. 1]**
Hearing to consider appointing two members to the Assessment Appeals Board No. 1.
- 2 seats being considered
Vacant seat, succeeding Peter Fatooh, term expiring September 6, 2004, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.
Vacant seat, succeeding Thomas Ramm, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board.
- 7/29/04, RECEIVED AND ASSIGNED to Rules Committee.
2 seats/4 applicants
Peter Fatooh, seat 1
Thomas Ramm, seat 4
Carol Ruth Silver, Stephen Wasserman, seat undeclared

10. 041112 [Appointment - Assessment Appeals Board No. 2]

Hearing to consider appointing three members to the Assessment Appeals Board No. 2.

3 seats being considered

Vacant seat, succeeding Lawrence Lee, term expiring September 6, 2004, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007. Vacant seat, succeeding Mervin Conlan, term expiring September 6, 2004, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007. Vacant seat, succeeding Donald Schmidt, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

7/29/04, RECEIVED AND ASSIGNED to Rules Committee.

3 seats/5 applicants

Lawrence Lee, seat 2

Mervin Conlan, seat 3

Richard Lee, Margaret Ruxton, Marks Lam, seat undeclared

**11. 040990 [Proposed Merger of S.F. Grants for the Arts and S.F. Arts Commission]
Supervisor Gonzalez**

Hearing on the proposed merger of the San Francisco Grants for the Arts with the San Francisco Arts Commission.

7/13/04, RECEIVED AND ASSIGNED to Rules Committee.

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

12. 040857 [Settlement of Claim - Cambridge Integrated Services, Inc.]
Resolution approving settlement of claim by City and County of San Francisco against Cambridge Integrated Services, Inc., for claimed errors and omissions by Cambridge in administering the workers' compensation claim of City employee Fanny Tang. (City Attorney)
6/14/04, RECEIVED AND ASSIGNED to Rules Committee
13. 040931 [Settlement of Lawsuit - Applied Remedial Technologies, Inc.]
Ordinance authorizing settlement of the lawsuit filed by Applied Remedial Technologies, Inc. against the City and County of San Francisco for eighty thousand dollars (\$80,000); the lawsuit was filed on in the Superior Court of the City and County of San Francisco . Case No.CGC-03-419941; entitled Applied Remedial Technologies, Inc. v. City and County of San Francisco, et al. (City Attorney)
7/1/04, RECEIVED AND ASSIGNED to Rules Committee.
14. 040938 [Settlement of Administrative Civil Liability Complaint]
Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$118,000; approving use of said amount for an environmental mitigation project, subject to approval of the Regional Board Water Quality Control Board, in an amount not to exceed \$110,000, plus payment of an \$8,000 penalty. (City Attorney)
7/2/04, RECEIVED AND ASSIGNED to Rules Committee. Department requests this item be calendared as soon as possible so that final approval can be obtained at the July 27, 2004 Board meeting.
15. 040975 [Settlement of Lawsuit - Jean B. Applebaum]
Ordinance authorizing settlement of the lawsuit filed by Jean B. Applebaum against the City and County of San Francisco for \$240,000; the lawsuit was filed on July 31, 2002 in San Francisco Superior Court, Case No. 410-962; entitled Jean B. Applebaum, et al., v. City and County of San Francisco, et al. (City Attorney)
7/12/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

- 040899** [Charter Amendment - Appointments to the Municipal Transportation Agency's Board of Directors]
Supervisors Ammiano, Maxwell
Charter amendment (First Draft) to amend Section 8A.102, to divide appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors.
7/20/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/19/2004.

- 040988** [Prohibiting contractors from disclosing private information about individuals obtained from the City and County without written approval or authorization by law]
Supervisors McGoldrick, Peskin, Maxwell, Ammiano, Gonzalez
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12M to prohibit contractors from disclosing to any person or entity private information about individuals obtained from the City and County in the performance of the contract unless the contract authorizes the disclosure, the contractor first obtains the written approval of the contracting department, or the disclosure is authorized or required by law.
7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004

040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]

Supervisor McGoldrick

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 121 to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, August 11, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED.

DOCUMENTS DEPT.

The meeting convened at 10:07 a.m.

AUG 16 2004

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR AGENDA

**040904 [Appointment - San Francisco Bay Conservation and Development Commission]
Supervisor Peskin**

Resolution appointing David Owen, indefinite term, as an alternate member of the San Francisco Bay Conservation and Development Commission.

7/20/04. RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: David Owen, Applicant; Ted Lakey, Deputy City Attorney, City Attorney's Office.

Appointment of David Owen as an alternate member to Seat 1, recommended.

To Board as a Committee Report for the August 17, 2004 Meeting.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

040771 [Appointment - Bicycle Advisory Committee]

Hearing to consider appointing one member to the Bicycle Advisory Committee.

1 seat being considered

Vacant seat, succeeding Cynthia Powell, resignation, seat 9, must be a nominee of District 9 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

6/2/04. RECEIVED AND ASSIGNED to Rules Committee.

6/16/04. CONTINUED TO CALL OF THE CHAIR. Speakers: None

Heard in Committee. Speaker: Francisco Hernandez, Applicant.

Appointment of Francisco Hernandez, Seat 9, Recommended.

To Board as a Committee Report for the August 17, 2004 Meeting.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Francisco Hernandez to the Bicycle Advisory Committee for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

Francisco Hernandez, succeeding Cynthia Powell, resignation, seat 9, must be a nominee of District 9 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

041105 [Appointment - SRO Hotel Safety and Stabilization Task Force]

Hearing to consider appointing one member to the SRO Hotel Safety and Stabilization Task Force.

1 seat being considered

Vacant seat, succeeding Kiran Patel, resigned, seat 2, must be an owner or manager of SRO Hotel, for the unexpired portion of a term ending December 31, 2004.

7/29/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Henry Karnilowicz, applicant.

Appointment of Henry Karnilowicz, Seat 2, Recommended.

To Board as a Committee Report for the August 17, 2004 Meeting.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Henry Karnilowicz to the SRO Hotel Safety and Stabilization Task Force for the unexpired portion of a term ending December 31, 2004.

Henry Karnilowicz, succeeding Kiran Patel, resigned, seat 2, must be an owner or manager of SRO Hotel, for the unexpired portion of a term ending December 31, 2004.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041106 [Appointment - Library Citizens Advisory Committee]

Hearing to consider appointing two members to the Library Citizens Advisory Committee.

2 seats being considered

Vacant seat, new appointment, seat 12, must be a member from the community at large, representative of senior citizens, for a two-year term ending July 18, 2006.

Vacant seat, new appointment, seat 13, must be a member from the community at large, representative of New Americans for whom English is a second language, for a two-year term ending July 18, 2006.

7/29/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Gayle Leyton, applicant; Dennis Bianchi, applicant; Sue Cauthen, applicant; Chris Ortiz; Lynn Jefferson; Peter Warfield; Denise Dianna, San Francisco Tomorrow. Seat 13 Divided and continued to the call of the chair. See File 041167.

DIVIDED.

Hearing to consider appointing one member to the Library Citizens Advisory Committee.

1 Seat Being Considered.

Vacant Seat, new appointment, seat 12, must be a member from the community at large, representative of senior citizens, for a two-year term ending July 18, 2006.

Appointment of Gayle Leyton, Seat 12; recommended.

To Board as a Committee Report for the August 17, 2004 Meeting.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Gayle Leyton to the Library Citizens Advisory Committee for a two-year term ending July 18, 2006.

Gayle Leyton, new appointment, seat 12, must be a member from the community at large, representative of senior citizens, for a two-year term ending July 18, 2006.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041167 [Appointment - Library Citizens Advisory Committee]

Hearing to consider appointing one member to the Library Citizens Advisory Committee.

1 Seat Being Considered.

Vacant seat, new appointment, seat 13, must be a member from the community at large, representative of New Americans for whom English is a second language, for a two-year term ending July 18, 2006.

Divided from File 041106.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041107 [Appointment - Sunshine Ordinance Task Force]

Hearing to consider appointing one member to the Sunshine Ordinance Task Force.

1 seat being considered

Vacant seat, succeeding Nicole Dogwill, resigned, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an attorney, for the unexpired portion of a two-year term ending April 27, 2006.

7/29/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Erica Craven, applicant.

Appointment of Erica Craven, Seat 1, Recommended.

To Board as a Committee Report for the August 17, 2004 Meeting.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Erica Craven to the Sunshine Ordinance Task Force for the unexpired portion of a two-year term ending April 27, 2006.

Erica Craven, succeeding Nicole Dogwill, resigned, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an attorney, for the unexpired portion of a two-year term ending April 27, 2006.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041108 [Appointment - Power Plant Task Force]

Hearing to consider appointing one member to the Power Plant Task Force.

1 seat being considered

Vacant seat, new appointment, seat 8, must be the head of the San Francisco Labor Council or his/her designee, for the unexpired portion of a two-term ending November 1, 2005.

7/29/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: John Kosinski, applicant.

Appointment of John Kosinski, Seat 8, Recommended.

To Board as a Committee Report for the August 17, 2004 Meeting.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing John Kosinski to the Power Plant Task Force for the unexpired portion of a two-year term ending November 1, 2005.

John Kosinski, new appointment, seat 8, must be the head of the San Francisco Labor Council or his/her designee, for the unexpired portion of a two-year term ending November 1, 2005.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041109 [Appointment - Asthma Task Force]

Hearing to consider appointing one member to the Asthma Task Force.

1 seat being considered

Vacant seat, succeeding Ann Melamed, resigned, seat 7, must be a representative of an environmental health/justice organization and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

7/29/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Neil Gendel, applicant.

Appointment of Neil Gendel, Seat 7, Recommended.

To Board as a Committee Report for the August 17, 2004 Meeting.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Neil Gendel to the Asthma Task Force for the unexpired portion of a two-year term ending June 30, 2005.

Neil Gendel, succeeding Ann Melamed, resigned, seat 7, must be a representative of an environmental health/justice organization and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041110 [Appointment - Childhood Nutrition and Physical Activity Task Force]

Hearing to consider appointing two members to the Childhood Nutrition and Physical Activity Task Force.

2 seats being considered

Vacant seat, succeeding Manuel Jimenez, resigned, seat 5, must be a parent or guardian, for the unexpired portion of a one-year term ending December 12, 2004.

Vacant seat, succeeding Esther Rothblum, resigned, seat 8, must be a member of a civil rights organization addressing weight size discrimination, for the unexpired portion of a one-year term ending December 12, 2004. 7/29/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Maxwell read a statement on behalf of Dr. Eric Rosegard, applicant; Marilyn Wann, applicant.

Seat 5 divided and continued to the call of the chair. See File #041168.

DIVIDED.

Hearing to consider appointing one member to the Childhood Nutrition and Physical Activity Task Force for the unexpired portion of a one-year term ending December 12, 2004.

Vacant Seat, succeeding Esther Rothblum, resigned, seat 8, must be a member of a civil rights organization addressing weight size discrimination, for the unexpired portion of a one-year term ending December 12, 2004.

Appointment of Marilyn Wann, Seat 8; recommended.

To Board as a Committee Report for the August 17, 2004 Meeting.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Marilyn Wann to the Childhood Nutrition and Physical Activity Task Force for the unexpired portion of a one-year term ending December 12, 2004.

Marilyn Wann, succeeding Esther Rothblum, resigned, seat 8, must be a member of a civil rights organization addressing weight size discrimination, for the unexpired portion of a one-year term ending December 12, 2004.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041168 [Appointment - Childhood Nutrition and Physical Activity Task Force]

Hearing to consider appointing one member to the Childhood Nutrition and Physical Activity Task Force.

1 Seat Being Considered.

Vacant seat, succeeding Manuel Jimenez, resigned, seat 5, must be a parent or guardian, for the unexpired portion of a one-year term ending December 12, 2004.

Divided from File 041110.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041111 [Appointment - Assessment Appeals Board No. 1]

Hearing to consider appointing two members to the Assessment Appeals Board No. 1.

2 seats being considered

Vacant seat, succeeding Peter Fatooh, term expiring September 6, 2004, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Vacant seat, succeeding Thomas Ramm, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board.

7/29/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Peter Fatooh, applicant; Thomas Ramm, applicant; Carol Ruth Silver, applicant.

Appointment of Peter Fatooh, Seat 1; Carol Ruth Silver, Seat 4, Recommended.

To Board as a Committee Report for the August 17, 2004 Meeting.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Peter Fatooh and Carol Ruth Silver to the Assessment Appeals Board No. 1 for a three-year term ending September 3, 2007.

Peter Fatooh, succeeding himself, term expiring September 6, 2004, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Carol Ruth Silver, succeeding Thomas Ramm, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board for a three-year term ending September 3, 2007.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041112 [Appointment - Assessment Appeals Board No. 2]

Hearing to consider appointing three members to the Assessment Appeals Board No. 2.

3 seats being considered

Vacant seat, succeeding Lawrence Lee, term expiring September 6, 2004, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Vacant seat, succeeding Mervin Conlan, term expiring September 6, 2004, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Vacant seat, succeeding Donald Schmidt, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

7/29/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Mervin Conlan, applicant; Richard Lee, applicant; Margaret Ruxton, applicant; Marks Lam, applicant; Peter Fatooh; Thomas Ramm.

Appointment of Margaret Ruxton, Seat 2; Mervin Conlan, Seat 3; and Richard Lee, Seat 4, Recommended. To Board as a Committee Report for the August 17, 2004 Meeting.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Margaret Ruxton, Mervin Conlan and Richard Lee for a three-year term ending September 3, 2007 as members to the Assessment Appeals Board No. 2.

Margaret Ruxton, succeeding Lawrence Lee, term expiring September 6, 2004, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Mervin Conlan, succeeding himself, term expiring September 6, 2004, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Richard Lee, succeeding Donald Schmidt, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040990 [Proposed Merger of S.F. Grants for the Arts and S.F. Arts Commission]

Supervisor Gonzalez

Hearing on the proposed merger of the San Francisco Grants for the Arts with the San Francisco Arts Commission.

7/13/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Amy Laitinen, Legislative Aide to Supervisor Gonzalez; Rich Newarth, Director of the Arts Commission; Debra Culligan, Intersection for the Arts; Julie Mushet, World Arts West; Ellen Callas, San Francisco Mime Troupe; Andrew Brother Elk, Former Arts Commissioner; Debbie Lammam, Dance Mission Theater; Fresh, S.F. Dyke March; Brad Erickson, Theatre Bay Area; Andrew Wood, San Francisco International Arts Festival; Debra Walker; Scott Walton, American Conservatory Theater; Richard Robinson, Community Outreach Program; Marc Vogl, Killing My Lobster; Laurie Lazer, Luggage Store/509 Cultural Center.

FILED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(a) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040857 [Settlement of Claim - Cambridge Integrated Services, Inc.]

Resolution approving settlement of claim by City and County of San Francisco against Cambridge Integrated Services, Inc., for claimed errors and omissions by Cambridge in administering the workers' compensation claim of City employee Fanny Tang. (City Attorney)

6/14/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040931 [Settlement of Lawsuit - Applied Remedial Technologies, Inc.]

Ordinance authorizing settlement of the lawsuit filed by Applied Remedial Technologies, Inc. against the City and County of San Francisco for eighty thousand dollars (\$80,000); the lawsuit was filed on in the Superior Court of the City and County of San Francisco, Case No.CGC-03-419941; entitled Applied Remedial Technologies, Inc. v. City and County of San Francisco, et al. (City Attorney)

7/1/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040938 [Settlement of Administrative Civil Liability Complaint]

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$118,000; approving use of said amount for an environmental mitigation project, subject to approval of the Regional Board Water Quality Control Board, in an amount not to exceed \$110,000, plus payment of an \$8,000 penalty. (City Attorney)

7/2/04, RECEIVED AND ASSIGNED to Rules Committee. Department requests this item be calendared as soon as possible so that final approval can be obtained at the July 27, 2004 Board meeting.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040975 [Settlement of Lawsuit - Jean B. Applebaum]

Ordinance authorizing settlement of the lawsuit filed by Jean B. Applebaum against the City and County of San Francisco for \$240,000; the lawsuit was filed on July 31, 2002 in San Francisco Superior Court, Case No. 410-962; entitled Jean B. Applebaum, et al., v. City and County of San Francisco, et al. (City Attorney)
7/12/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

Deputy City Attorney Cheryl Adams reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

ADJOURNMENT

The meeting adjourned at 1:02 p.m.

City and County of San Francisco

Meeting Agenda

Rules Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: *Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez*

Clerk: *Linda Laws*

Wednesday, September 15, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

SEP - 9 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

1. 041168 [Appointment - Childhood Nutrition and Physical Activity Task Force]
Hearing to consider appointing one member to the Childhood Nutrition and Physical Activity Task Force.

1 Seat Being Considered.
Vacant seat, succeeding Manuel Jiminez, resigned. seat 5, must be a parent or guardian, for the unexpired portion of a one-year term ending December 12, 2004.

8/11/04, RECEIVED AND ASSIGNED to Rules Committee.
8/11/04, CONTINUED TO CALL OF THE CHAIR. Divided from File 041110.

1 seat/1 applicant
Erik Rosegard, seat 5
2. 041218 [Appointment - Library Citizens Advisory Committee]
Hearing to consider appointing one member to the Library Citizen Advisory Committee.

Vacant seat, new appointment, seat 14, must be a member from the community at large, representative of youth and children who shall be between the ages of thirteen and twenty-three at the time of appointment.

8/24/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/1 applicant
Douglas Ryan, seat 14

3. **041111** **[Appointment - Assessment Appeals Board No. 1]**
Resolution appointing Peter Fatooh and Carol Ruth Silver to the Assessment Appeals Board No. 1 for a three-year term ending September 3, 2007.

Peter Fatooh, succeeding himself, term expiring September 6, 2004, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007. Carol Ruth Silver, succeeding Thomas Ramm, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board for a three-year term ending September 3, 2007.

7/29/04, RECEIVED AND ASSIGNED to Rules Committee.

8/11/04, PREPARED IN COMMITTEE AS A RESOLUTION. Heard in Committee. Speakers: Peter Fatooh, applicant; Thomas Ramm, applicant; Carol Ruth Silver, applicant.

Appointment of Peter Fatooh, Seat 1, Carol Ruth Silver, Seat 4, Recommended To Board as a Committee Report for the August 17, 2004 Meeting.

8/11/04, RECOMMENDED AS COMMITTEE REPORT.

8/17/04, RE-REFERRED.

2 seats/5 applicants

John Emery, Peter Fatooh, seat 1

Thomas Ramm, seat 4

Carol Ruth Silver, Stephen Wasserman, seat undeclared

4. **041224** **[Appointment, Human Services Commission]**
Motion approving the Mayor's appointment of Michael DeNunzio to the Human Services Commission, for the term ending January 15, 2005. (Mayor)

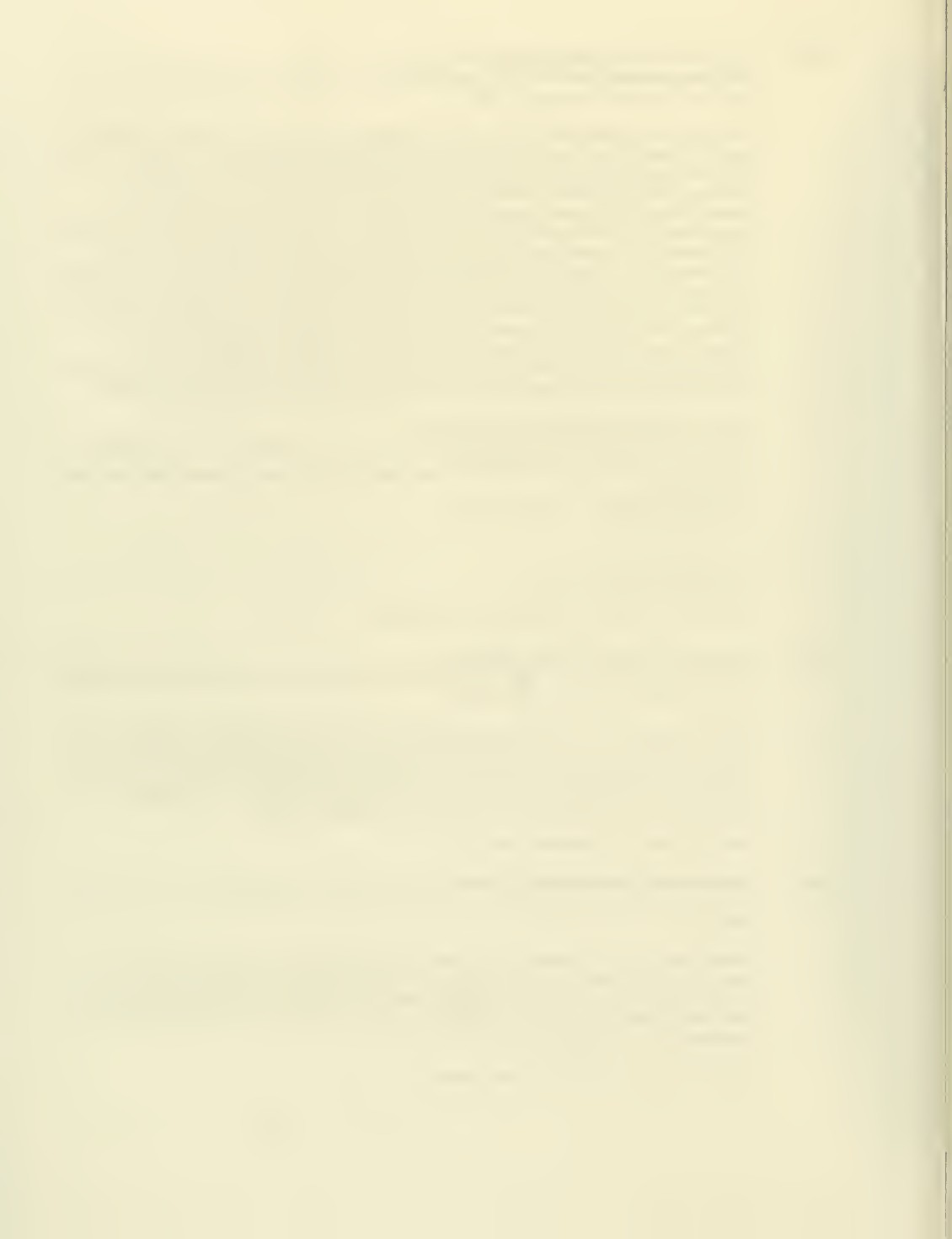
Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to File 041225. Transmittal date - (August 30, 2004.)

8/24/04, RECEIVED AND ASSIGNED to Rules Committee.

5. **041225** **[Appointment, Human Services Commission]**
Motion rejecting the Mayor's appointment of Michael DeNunzio to the Human Services Commission. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - (August 30, 2004.)

8/30/04, RECEIVED AND ASSIGNED to Rules Committee.



6. **041226 [Appointment, Public Utilities Commission]**
Motion approving the Mayor's appointment of Ryan Brooks to the Public Utilities Commission, for the term ending January 15, 2008. (Mayor)
- Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 041227, 041228.
Transmittal date - (August 30, 2004.)
- 8/30/04, RECEIVED AND ASSIGNED to Rules Committee.
7. **041227 [Appointment, Public Utilities Commission]**
Motion rejecting the Mayor's appointment of Ryan Brooks to the Public Utilities Commission. (Mayor)
- Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date - (August 30, 2004.)
- 8/30/04, RECEIVED AND ASSIGNED to Rules Committee.
8. **041228 [Appointment, Public Utilities Commission]**
Motion taking no position concerning the Mayor's appointment of Ryan Brooks to the Public Utilities Commission, for term ending January 15, 2008. (Mayor)
- Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date - (August 30, 2004.)
- 8/30/04, RECEIVED AND ASSIGNED to Rules Committee.
9. **041229 [Appointment, Public Utilities Commission]**
Motion approving the Mayor's appointment of Richard Sklar to the Public Utilities Commission, for the term ending January 15, 2008. (Mayor)
- Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 041230, 041231.
Transmittal date - (August 30, 2004.)
- 8/30/04, RECEIVED AND ASSIGNED to Rules Committee.
10. **041230 [Appointment, Public Utilities Commission]**
Motion rejecting the Mayor's appointment of Richard Sklar to the Public Utilities Commission (Mayor)
- Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date - (August 30, 2004.)
- 8/30/04, RECEIVED AND ASSIGNED to Rules Committee.

11. **041231 [Appointment, Public Utilities Commission]**
Motion taking no position concerning the Mayor's appointment of Richard Sklar to the Public Utilities Commission, for term ending January 15, 2008. (Mayor)
- Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date - (August 30, 2004.)
- 8/30/04, RECEIVED AND ASSIGNED to Rules Committee.
12. **041172 [Reenacting a Disadvantaged Business Enterprise Program]**
Emergency ordinance amending the San Francisco Administrative Code by adding Section 14A.03 to Chapter 14A to reenact a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A, make applicable certain emergency contracting procedures, and provide for data collection to ensure nondiscrimination in City contracting; adopting declaration of emergency. (Clerk of the Board)
- 8/17/04, RECEIVED AND ASSIGNED to Rules Committee.
13. **040685 [Establishing and administering a Supplemental Tax Deferred Plan]**
Supervisor Sandoval
Ordinance adding Sections 16.62 through 16.62-3 to the San Francisco Administrative Code.
- 5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.
6/3/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.
6/15/04, RESPONSE RECEIVED. No Comment.
7/21/04, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

14. **041113 [Settlement of Lawsuit - Constance Ong, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Constance Ong against the City and County of San Francisco for \$500,000; the lawsuit was filed on May 16, 2003 in San Francisco Superior Court, Case No. 420-576; entitled Constance Ong, et al., v. City and County of San Francisco, et al. (City Attorney)
- 8/2/04, RECEIVED AND ASSIGNED to Rules Committee.

15. 041125 **[Settlement of Claim - Gibson Group Trust]**
Resolution approving settlement of the unlitigated claim of the Gibson Group Trust in an amount not to exceed \$67,000 for payment of past and future costs of responding to contamination at Gibson Environmental site; Bakersfield, California. (City Attorney)

8/9/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

041190 [Reauthorization and Expansion of the First Source Hiring Program] Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by amending sections 83.4, 83.5, 83.6, 83.7, 83.9, 83.11, and by adding section 83.12A to: (1) expand the definition of contract to include sole source contracts and contracts, loans and grants awarded by the City in excess of \$50,000; (2) include residential projects, as defined herein, to be subject to first source hiring requirements; (3) increase the First Source Hiring Administration's reporting requirements to the Mayor and the Board of Supervisors regarding the progress of the first source hiring program; (4) delete the requirement that the Purchaser shall determine the applicability of the first source hiring requirements to certain service contracts; (5) delete the ten-day limit on the first source interviewing requirement; (6) require developers to obtain a first source hiring agreement or an exemption before the Planning Commission may approve development projects or other City departments may issue permits subject to first source requirements; (6) impose a fee schedule on covered entities; and (7) extend the operative date to January 1, 2009.

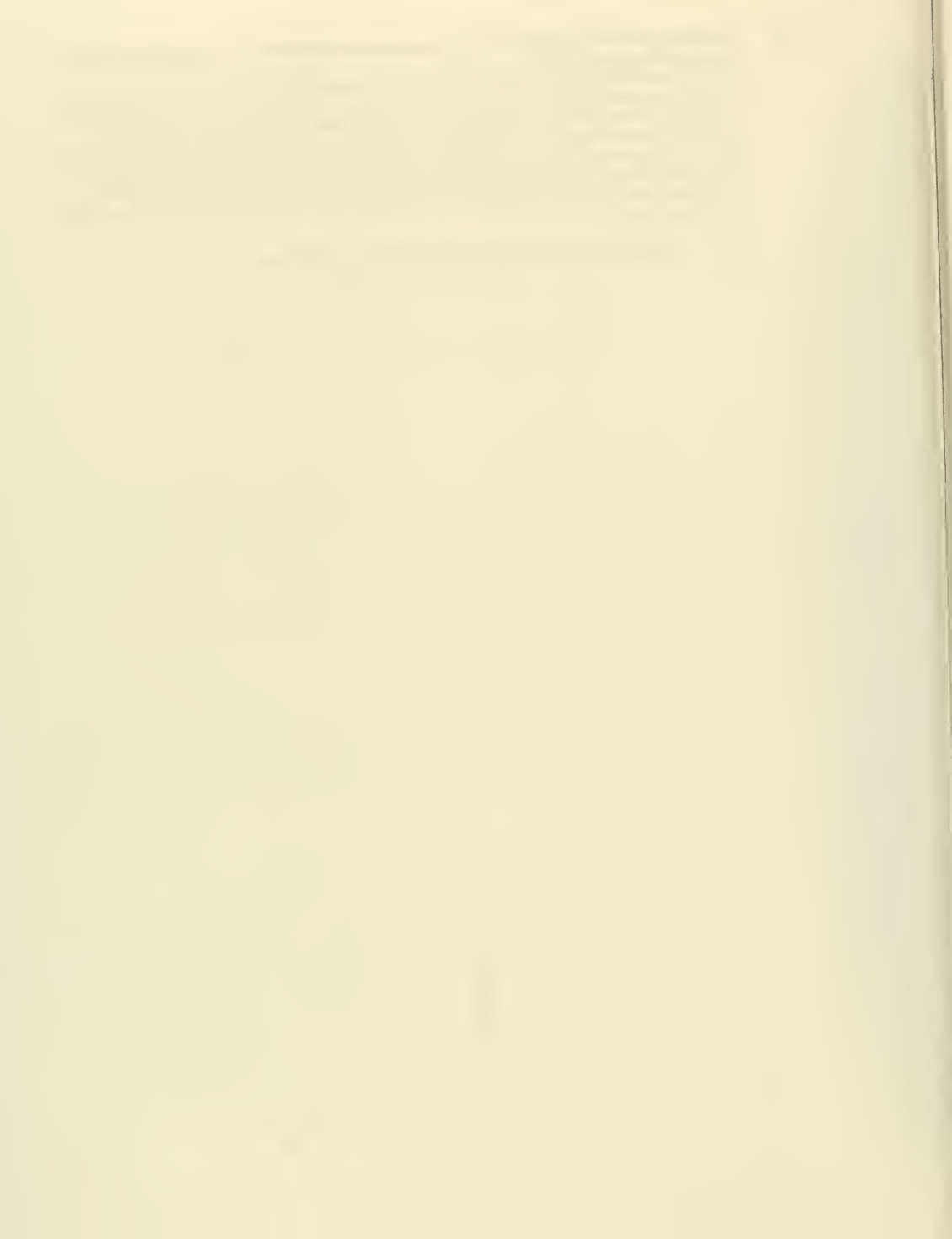
8/17/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/16/2004.

041192

**[Amending Domestic Partnership requirements for marriages between persons of the same sex]
Supervisors Ammiano, Dufty**

Ordinance amending Chapter 62 of the San Francisco Administrative Code by amending Section 62.4 to clarify that domestic partners who entered into a marriage nullified by the Courts retain their status as domestic partners; adding a new Section 62.14 to allow persons of the same sex who were not domestic partners when they married an opportunity to establish a domestic partnership effective as of the date of their marriage license; and adding a new Section 62.15 directing the County Clerk to send notices and forms to all persons who entered into marriages in San Francisco between February 12, 2004 and March 11, 2004 to enable them to exercise their right to establish a retroactively effective domestic partnership.

8/17/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/16/2004.



Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are televised on channel 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

The following services are available when requested by 4:00 p.m. of the Friday before the Board meeting:

For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Ohn Myint at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706. The Clerk of the Board's Office TTY number for speech-hearing impaired is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

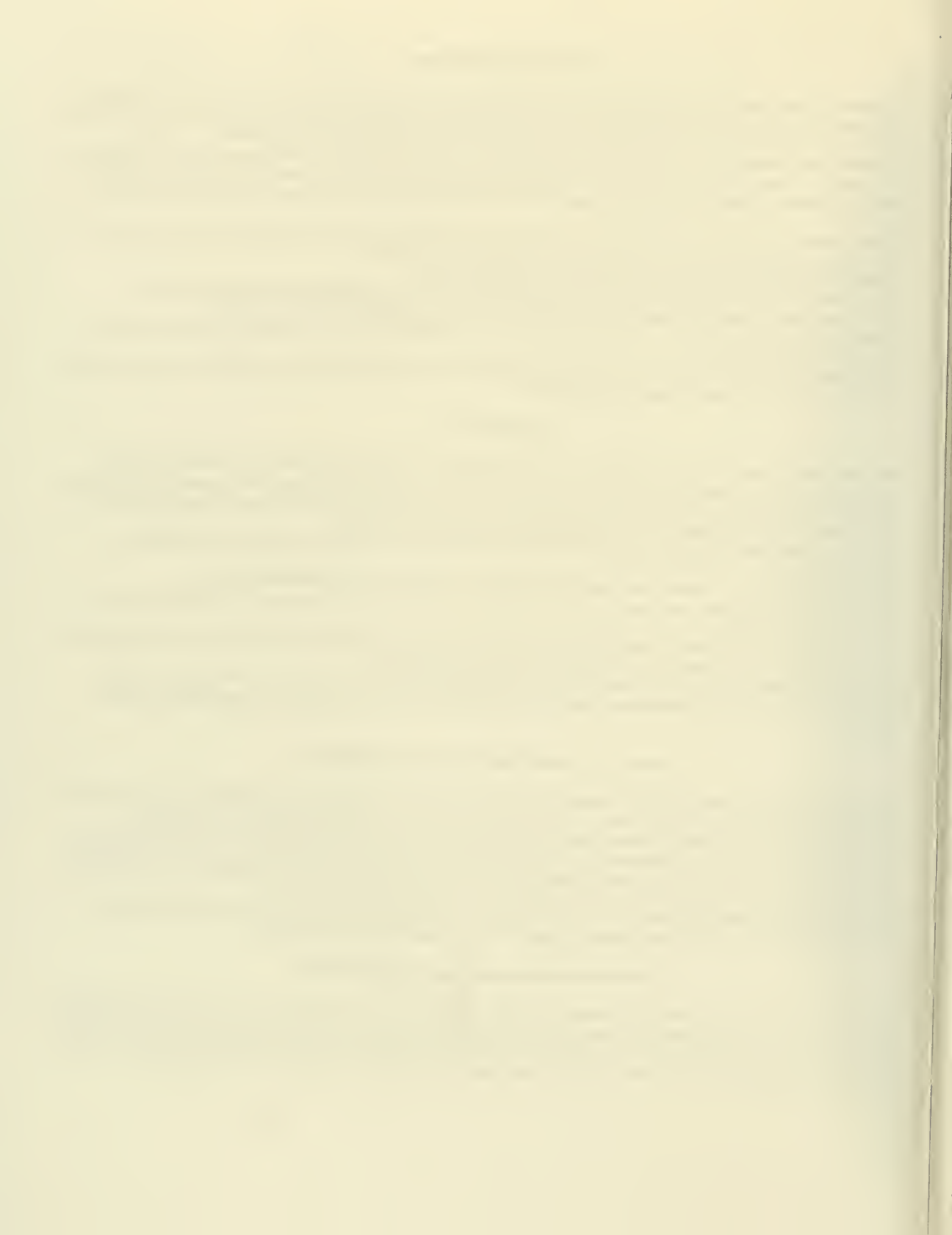
Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/bdsupvrs/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics





City and County of San Francisco

Meeting Minutes

Rules Committee

Members: *Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez*

Clerk: *Linda Laws*

City Hall
1 Dr. Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, September 15, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Aaron Peskin.

Members Absent: Matt Gonzalez.

MEETING CONVENED

The meeting convened at 10:08 a.m. Board President Gonzalez appointed Supervisor Peskin to serve on the Rules Committee for today's meeting only.

REGULAR AGENDA

041168 [Appointment - Childhood Nutrition and Physical Activity Task Force]

Hearing to consider appointing one member to the Childhood Nutrition and Physical Activity Task Force.

1 Seat Being Considered.

Vacant seat, succeeding Manuel Jiminez, resigned, seat 5, must be a parent or guardian, for the unexpired portion of a one-year term ending December 12, 2004.

8/11/04, RECEIVED AND ASSIGNED to Rules Committee.

8/11/04, CONTINUED TO CALL OF THE CHAIR. Divided from File 041110.

9/9/04 - Mailed Notice to Appear to applicant.

Heard in Committee. Speaker: Erik Rosegard.

Appointment of Erik Rosegard, seat 5, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Erik Rosegard, term ending December 12, 2004, to the Childhood Nutrition & Physical Nutrition Task Force.

Erik Rosegard, succeeding Manuel Jiminez, resigned, seat 5, must be a parent or guardian, for the unexpired portion of a one-year term ending December 12, 2004.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

DOCUMENTS DEPT.

SEP 16 2004

SAN FRANCISCO
PUBLIC LIBRARY

041218 [Appointment - Library Citizens Advisory Committee]

Hearing to consider appointing one member to the Library Citizen Advisory Committee.

Vacant seat, new appointment, seat 14, must be a member from the community at large, representative of youth and children who shall be between the ages of thirteen and twenty-three at the time of appointment.

8/24/04, RECEIVED AND ASSIGNED to Rules Committee. 9/9/04 - Mailed Notice to Appear to applicant.

Heard in Committee. Speaker: Douglas Ryan.

Appointment of Douglas Ryan, seat 14, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Douglas Ryan to the Library Citizens Advisory Committee, for a two-year term ending July 18, 2006.

Douglas Ryan, new appointment, seat 14, must be a member from the community at large, representative of youth and children who shall be between the ages of thirteen and twenty-three at the time of appointment, for a two year term ending July 18, 2006.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

041111 [Appointment - Assessment Appeals Board No. 1]

Resolution appointing Peter Fatooh and Carol Ruth Silver to the Assessment Appeals Board No. 1 for a three-year term ending September 3, 2007.

Peter Fatooh, succeeding himself, term expiring September 6, 2004, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Carol Ruth Silver, succeeding Thomas Ramm, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board for a three-year term ending September 3, 2007.

7/29/04, RECEIVED AND ASSIGNED to Rules Committee. 9/9/04 - Mailed Notice to Appear to applicants.

8/11/04, PREPARED IN COMMITTEE AS A RESOLUTION. *Heard in Committee. Speakers: Peter Fatooh, applicant; Thomas Ramm, applicant; Carol Ruth Silver, applicant.*

Appointment of Peter Fatooh, Seat 1; Carol Ruth Silver, Seat 4, Recommended.

To Board as a Committee Report for the August 17, 2004 Meeting.

8/11/04, RECOMMENDED AS COMMITTEE REPORT.

8/17/04, RE-REFERRED.

Heard in Committee. Speakers: Peter Fatooh; Carol Ruth Silver; Stephen Wasserman.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

041224 [Appointment, Human Services Commission]

Motion approving the Mayor's appointment of Michael DeNunzio to the Human Services Commission, for the term ending January 15, 2005. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to File 041225. Transmittal date - (August 30, 2004.)

8/24/04, RECEIVED AND ASSIGNED to Rules Committee. 9/9/04 - Mailed Notice to Appear to applicant.

Heard in Committee. Speaker: Cheryl Adams, Deputy City Attorney.

TABLED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

041225 [Appointment, Human Services Commission]

Motion rejecting the Mayor's appointment of Michael DeNunzio to the Human Services Commission. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.

Transmittal date - (August 30, 2004.)

8/30/04, RECEIVED AND ASSIGNED to Rules Committee. 9/9/04 - Mailed Notice to Appear to applicant.

Heard in Committee. Speaker: Cheryl Adams, Deputy City Attorney.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

041226 [Appointment, Public Utilities Commission]

Motion approving the Mayor's appointment of Ryan Brooks to the Public Utilities Commission, for the term ending January 15, 2008. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 041227, 041228.

Transmittal date - (August 30, 2004.)

8/30/04, RECEIVED AND ASSIGNED to Rules Committee. 9/10/04 - Mailed Notice to Appear to applicant.

Heard in Committee. Speakers: Ryan Brooks; Susan Leal, SFPUC.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

041227 [Appointment, Public Utilities Commission]

Motion rejecting the Mayor's appointment of Ryan Brooks to the Public Utilities Commission. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.

Transmittal date - (August 30, 2004.)

8/30/04, RECEIVED AND ASSIGNED to Rules Committee. 9/10/04 - Mailed Notice to Appear to applicant.

Heard in Committee. Speakers: Ryan Brooks; Susan Leal, SFPUC.

TABLED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

041228 [Appointment, Public Utilities Commission]

Motion taking no position concerning the Mayor's appointment of Ryan Brooks to the Public Utilities Commission, for term ending January 15, 2008. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.

Transmittal date - (August 30, 2004.)

8/30/04, RECEIVED AND ASSIGNED to Rules Committee. 9/10/04 - Mailed Notice to Appear to applicant.

Heard in Committee. Speakers: Ryan Brooks; Susan Leal, SFPUC.

TABLED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

041229 [Appointment, Public Utilities Commission]

Motion approving the Mayor's appointment of Richard Sklar to the Public Utilities Commission, for the term ending January 15, 2008. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 041230, 041231.

Transmittal date - (August 30, 2004.)

8/30/04, RECEIVED AND ASSIGNED to Rules Committee. 9/9/04 - Mailed Notice to Appear to applicant.

Heard in Committee. Speakers: Richard Sklar; Steven Leslie; Susan Leal, SFPUC; Donald Beer; David Novogrodsky, Local 21.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

041230 [Appointment, Public Utilities Commission]

Motion rejecting the Mayor's appointment of Richard Sklar to the Public Utilities Commission (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.

Transmittal date - (August 30, 2004.)

8/30/04, RECEIVED AND ASSIGNED to Rules Committee. 9/9/04 - Mailed Notice to Appear to applicant.

Heard in Committee. Speakers: Richard Sklar; Steven Leslie; Susan Leal, SFPUC; Donald Beer; David Novogrodsky, Local 21.

TABLED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

041231 [Appointment, Public Utilities Commission]

Motion taking no position concerning the Mayor's appointment of Richard Sklar to the Public Utilities Commission, for term ending January 15, 2008. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.

Transmittal date - (August 30, 2004.)

8/30/04, RECEIVED AND ASSIGNED to Rules Committee. 9/9/04 - Mailed Notice to Appear to applicant.

Heard in Committee. Speakers: Richard Sklar; Steven Leslie; Susan Leal, SFPUC; Donald Beer; David Novogrodsky, Local 21.

TABLED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

041172 [Reenacting a Disadvantaged Business Enterprise Program]

Emergency ordinance amending the San Francisco Administrative Code by adding Section 14A.03 to Chapter 14A to reenact a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A, make applicable certain emergency contracting procedures, and provide for data collection to ensure nondiscrimination in City contracting; adopting declaration of emergency. (Clerk of the Board)

8/17/04, RECEIVED AND ASSIGNED to Rules Committee

Heard in Committee. Speakers: Virginia Harmon, Human Rights Commission; Cheryl Adams, Deputy City Attorney.

9/15/04 Amendment of the Whole Bearing Same Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

040685 [Establishing and administering a Supplemental Tax Deferred Plan]**Supervisor Sandoval**

Ordinance adding Sections 16.62 through 16.62-3 to the San Francisco Administrative Code.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

6/3/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

6/15/04, RESPONSE RECEIVED. No Comment.

7/21/04, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

*Heard in Committee. Speaker: Clare Murphy, Retirement System.***RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]**Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session.**Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.***Unanimous vote to convene in closed session by the following vote:**

Ayes: 3 - Maxwell, Alioto-Pier, Peskin

Absent: 1 - Gonzalez

041113 [Settlement of Lawsuit - Constance Ong, et al.]

Ordinance authorizing settlement of the lawsuit filed by Constance Ong against the City and County of San Francisco for \$500,000; the lawsuit was filed on May 16, 2003 in San Francisco Superior Court, Case No. 420-576; entitled Constance Ong, et al., v. City and County of San Francisco, et al. (City Attorney)

8/2/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 2 - Gonzalez, Peskin

041125 [Settlement of Claim - Gibson Group Trust]

Resolution approving settlement of the unlitigated claim of the Gibson Group Trust in an amount not to exceed \$67,000 for payment of past and future costs of responding to contamination at Gibson Environmental site; Bakersfield, California. (City Attorney)

8/9/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 2 - Gonzalez, Peskin

Report on Closed Session

Deputy City Attorney Cheryl Adams reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 2 - Gonzalez, Peskin

ADJOURNMENT

The meeting adjourned at 11:25 a.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, September 22, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

DOCUMENTS DEPT

SEP 17 2004

SAN FRANCISCO
PUBLIC LIBRARY

AGENDA CHANGES

REGULAR AGENDA

09-17-04 4:48 PM

1. 041219 [Appointment - Golden Gate Bridge, Highway and Transportation District]
Hearing to consider appointing one member to the Golden Gate Bridge, Highway and Transportation District.

Vacant seat, succeeding Tony Hall, resigned, seat 7, must be member of the Board of Supervisors, for the unexpired portion of a two-year term ending January 31, 2005.

8/25/04, RECEIVED AND ASSIGNED to Rules Committee.
1 seat/1 applicant
Supervisor Gerardo Sandoval, seat 7
2. 041094 [Waiver Permitting City Employees to Assist the Department of Elections with the November 2, 2004 election]
Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 2, 2004 election. (Elections Department)

9/2/04, RECEIVED AND ASSIGNED to Rules Committee

3. **041252** **[Confirming Philip Ginsburg as Human Resources Director]**
 Mayor
 Motion confirming Philip Ginsburg as Human Resources Director.

 9/14/04, RECEIVED AND ASSIGNED to Rules Committee.
4. **041215** **[Appointment, Planning Commission]**
 Motion approving the Mayor's appointment of Dwight Alexander to the Planning Commission term ending July 1, 2008. (Mayor)

 (Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041216.
 Transmittal date - (August 24, 2004.)

 8/24/04, RECEIVED AND ASSIGNED to Rules Committee.
5. **041216** **[Appointment, Planning Commission]**
 Motion rejecting the Mayor's appointment of Dwight Alexander to the Planning Commission. (Mayor)

 (Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
 Transmittal date - (August 24, 2004.)

 8/24/04, RECEIVED AND ASSIGNED to Rules Committee.
6. **041220** **[Appointment, Planning Commission]**
 Motion approving the Mayor's appointment of Dr. Michael Antonini to the Planning Commission term ending July 1, 2004. (Mayor)

 (Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041221.
 Transmittal date - (August 24, 2004.)

 8/24/04, RECEIVED AND ASSIGNED to Rules Committee.

7. **041221** **[Appointment, Planning Commission]**
Motion rejecting the Mayor's appointment of Dr. Michael Antonini to the Planning Commission.
(Mayor)
- (Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - (August 24, 2004.)
- 8/24/04, RECEIVED AND ASSIGNED to Rules Committee.
-
8. **041190** **[Reauthorization and Expansion of the First Source Hiring Program]**
Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by amending sections 83.4, 83.5, 83.6, 83.7, 83.9, 83.11, and by adding section 83.12A to: (1) expand the definition of contract to include sole source contracts and contracts, loans and grants awarded by the City in excess of \$50,000; (2) include residential projects, as defined herein, to be subject to first source hiring requirements; (3) increase the First Source Hiring Administration's reporting requirements to the Mayor and the Board of Supervisors regarding the progress of the first source hiring program; (4) delete the requirement that the Purchaser shall determine the applicability of the first source hiring requirements to certain service contracts; (5) delete the ten-day limit on the first source interviewing requirement; (6) require developers to obtain a first source hiring agreement or an exemption before the Planning Commission may approve development projects or other City departments may issue permits subject to first source requirements; (6) impose a fee schedule on covered entities; and (7) extend the operative date to January 1, 2009.
- 8/17/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/16/2004
-
9. **040698** **[2003-2004 San Francisco Civil Grand Jury Report, Incarceration and Beyond: Where do we go from here?]**
Supervisor Maxwell
Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on the incarceration and release of inmates.
- 7/20/04, RECEIVED AND ASSIGNED to Rules Committee.

SPECIAL ORDER

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

10. 041191 **[Settlement of claim - CCSF v. WCB More II Limited Partnership, et al.]**
Ordinance authorizing settlement of relocation benefits claim of California Bank & Trust Company by the payment of \$340,000, arising from litigation entitled City and County of San Francisco v. WCB More II Limited Partnership, et al., filed on September 10, 1998 as San Francisco Superior Court Case No. 997-764. (City Attorney)

8/31/04, RECEIVED AND ASSIGNED to Rules Committee.
11. 041203 **[Settlement of Lawsuit - CCSF v ARCO, et al.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against AGI, American Airlines, Avis, Budget, Continental, Delta, Dollar, Federal Express, Japan Airlines, U.S. Air, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

8/23/04, RECEIVED AND ASSIGNED to Rules Committee. Department requests this item be scheduled for consideration at the September 22, 2004 meeting.
12. 041206 **[Settlement of Lawsuit - Yvette Castillo]**
Ordinance authorizing settlement of the lawsuit filed by Yvette Castillo against San Francisco General Hospital and the City and County of San Francisco for \$96,400; the lawsuit was filed on April 30, 2003 in San Francisco Superior Court, Case No. 416346 entitled Yvette Castillo v. San Francisco General Hospital, City and County of San Francisco. (City Attorney)

8/12/04, RECEIVED AND ASSIGNED to Rules Committee.
13. 041207 **[Settlement of Lawsuit - Leanna Mossi, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Leanna Mossi against the City and County of San Francisco for \$97,500; the lawsuit was filed on November 21, 2002 in San Francisco Superior Court, Case No. 414-929; entitled Leanna Mossi, et al., v. City and County of San Francisco, et al. (City Attorney)

8/14/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

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LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

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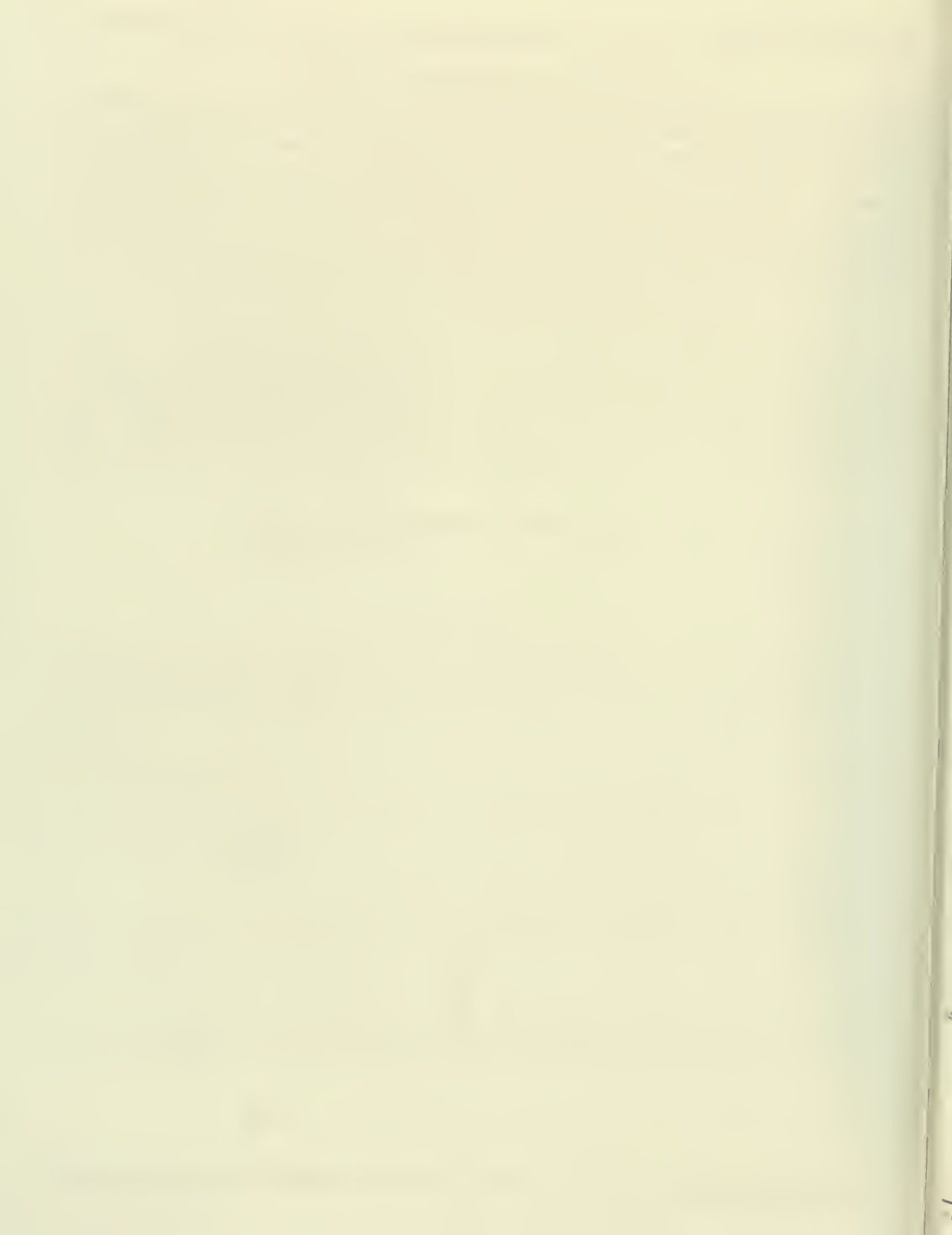
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City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, September 22, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

DOCUMENTS DEPT.

OCT 22 2004

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MEETING CONVENED

The meeting convened at 10:07 a.m.

REGULAR AGENDA

041219 [Appointment - Golden Gate Bridge, Highway and Transportation District]

Hearing to consider appointing one member to the Golden Gate Bridge, Highway and Transportation District.

Vacant seat, succeeding Tony Hall, resigned, seat 7, must be member of the Board of Supervisors, for the unexpired portion of a two-year term ending January 31, 2005.

8/25/04, RECEIVED AND ASSIGNED to Rules Committee.

Speakers: None.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Supervisor Gerardo Sandoval as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District Board, term ending January 31, 2005.

Supervisor Gerardo Sandoval, succeeding Tony Hall, resigned, seat 7, must be member of the Board of Supervisors, for the unexpired portion of a two-year term ending January 31, 2005.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041094 [Waiver Permitting City Employees to Assist the Department of Elections with the November 2, 2004 election]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 2, 2004 election. (Elections Department)

9/2/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: John Arntz, Department of Elections.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Noes: 1 - Gonzalez

041252 [Confirming Philip Ginsburg as Human Resources Director]**Mayor**

Motion confirming Philip Ginsburg as Human Resources Director.

9/14/04, RECEIVED AND ASSIGNED to Rules Committee. 9/17/04: Notice to Appear at Rules Committee Meeting sent.

*Heard in Committee. Speakers: Philip Ginsburg, applicant; Glenda Levine; Jim Salinas.***RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041215 [Appointment - Planning Commission]

Motion approving the Mayor's appointment of Dwight Alexander to the Planning Commission term ending July 1, 2008. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041216.)

Transmittal date - August 24, 2004.

8/24/04, RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Dwight Alexander, applicant; Kate White; Timothy Simon; Aaron Grizzell; Eileen Boken; Sue Hestor; Peter Cohen; Joe Boss; Jeffrey Heller.***RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041216 [Appointment, Planning Commission]

Motion rejecting the Mayor's appointment of Dwight Alexander to the Planning Commission. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - (August 24, 2004.)

8/24/04, RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Dwight Alexander, applicant; Kate White; Timothy Simon; Aaron Grizzell; Eileen Boken; Sue Hestor; Peter Cohen; Joe Boss; Jeffrey Heller.***TABLED by the following vote:**

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041220 [Appointment - Planning Commission]

Motion approving the Mayor's appointment of Dr. Michael Antonini to the Planning Commission term ending July 1, 2004. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041221.)

Transmittal date - (August 24, 2004.)

8/24/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Dr. Michael Antonini; Timothy Simon; Mike Garcia; Jim Salinas; Jeffrey Heller; Shelley-Bradford Bell; Christina Olague; Eileen Boken; Dave Bushell; Sue Hestor; Joe Yu.

9/22/04 Amendment of the Whole Bearing New Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion approving the Mayor's appointment of Dr. Michael Antonini to the Planning Commission term ending July 1, 2008. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041221.)

Transmittal date - August 24, 2004.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041221 [Appointment, Planning Commission]

Motion rejecting the Mayor's appointment of Dr. Michael Antonini to the Planning Commission. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - (August 24, 2004.)

8/24/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Dr. Michael Antonini; Timothy Simon; Mike Garcia; Jim Salinas; Jeffrey Heller; Shelley-Bradford Bell; Christina Olague; Eileen Boken; Dave Bushell; Sue Hestor; Joe Yu.

TABLED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

**041190 [Reauthorization and Expansion of the First Source Hiring Program]
Supervisor Maxwell**

Ordinance amending the San Francisco Administrative Code by amending sections 83.4, 83.5, 83.6, 83.7, 83.9, 83.11, and by adding section 83.12A to: (1) expand the definition of contract to include sole source contracts and contracts, loans and grants awarded by the City in excess of \$50,000; (2) include residential projects, as defined herein, to be subject to first source hiring requirements; (3) increase the First Source Hiring Administration's reporting requirements to the Mayor and the Board of Supervisors regarding the progress of the first source hiring program; (4) delete the requirement that the Purchaser shall determine the applicability of the first source hiring requirements to certain service contracts; (5) delete the ten-day limit on the first source interviewing requirement; (6) require developers to obtain a first source hiring agreement or an exemption before the Planning Commission may approve development projects or other City departments may issue permits subject to first source requirements; (6) impose a fee schedule on covered entities; and (7) extend the operative date to January 1, 2009.

8/17/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/16/2004.

Heard in Committee. Speakers: Don Hess; Lavester Rankin, Safeway, Inc.

9/22/04 Amendment of the Whole Bearing New Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending the San Francisco Administrative Code by amending sections 83.3, 83.4, 83.5, 83.6, 83.7, 83.9, 83.11, and by adding section 83.12A to: (1) expand the scope of the ordinance to apply to any work performed in the City by City contractors; (2) expand the definition of contract to include sole source contracts and contracts, loans and grants awarded by the City in excess of \$50,000; (3) include residential projects, as defined herein, to be subject to first source hiring requirements; (4) expand the definition of "commercial activity," as defined herein; (5) increase the First Source Hiring Administration's reporting requirements to the Mayor and the Board of Supervisors regarding the progress of the first source hiring program; (6) delete the requirement that the Purchaser shall determine the applicability of the first source hiring requirements to certain service contracts; (7) require developers to obtain a first source hiring agreement or an exemption before the Planning Commission may approve development projects or other City departments may issue permits subject to first source requirements; (8) impose a fee schedule on covered entities; and (9) extend the operative date to January 1, 2009.

Continued to 9/27/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

040698 [2003-2004 San Francisco Civil Grand Jury Report, Incarceration and Beyond: Where do we go from here?]

Supervisor Maxwell

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on the incarceration and release of inmates.

7/20/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Jack McNulty, Civil Grand Jury.

Continued to 10/6/04.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041191 [Settlement of Claim - CCSF v. WCB More II Limited Partnership, et al.]

Ordinance authorizing settlement of relocation benefits claim of California Bank & Trust Company by the payment of \$340,000, arising from litigation entitled City and County of San Francisco v. WCB More II Limited Partnership, et al., filed on September 10, 1998 as San Francisco Superior Court Case No. 997-764. (City Attorney)

8/31/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041203 [Settlement of Lawsuit - CCSF v ARCO, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against AGI, American Airlines, Avis, Budget, Continental, Delta, Dollar, Federal Express, Japan Airlines, U.S. Air, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

8/23/04, RECEIVED AND ASSIGNED to Rules Committee. Department requests this item be scheduled for consideration at the September 22, 2004 meeting.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041206 [Settlement of Lawsuit - Yvette Castillo]

Ordinance authorizing settlement of the lawsuit filed by Yvette Castillo against San Francisco General Hospital and the City and County of San Francisco for \$96,400; the lawsuit was filed on April 30, 2003 in San Francisco Superior Court, Case No. 416346 entitled Yvette Castillo v. San Francisco General Hospital, City and County of San Francisco. (City Attorney)

8/12/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041207 [Settlement of Lawsuit - Leanna Mossi, et al.]

Ordinance authorizing settlement of the lawsuit filed by Leanna Mossi against the City and County of San Francisco for \$97,500; the lawsuit was filed on November 21, 2002 in San Francisco Superior Court, Case No. 414-929; entitled Leanna Mossi, et al., v. City and County of San Francisco, et al. (City Attorney)

8/14/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

Deputy City Attorney Cheryl Adams reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

ADJOURNMENT

The meeting adjourned at 2:02 p.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Monday, September 27, 2004

11:00 AM

City Hall, Room 263

Rescheduled Meeting

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Rules Committee on Wednesday, September 29, 2004, at 10:00 a.m. HAS BEEN RESCHEDULED TO Monday, September 27, 2004 at 11:00 a.m. and will be held in the Room 263, Second Floor, City Hall.

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

DOCUMENTS DEPT.

SEP 23 2004

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09-23-04 PM 4:11

1. 041190 [Reauthorization and Expansion of the First Source Hiring Program]
Supervisor Maxwell

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9/22/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Don Hess; Lavester Rankin, Safeway, Inc.

9/22/04 Amendment of the Whole Bearing New Title

9/22/04, CONTINUED. Continued to 9/27/04.

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City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Monday, September 27, 2004

11:00 AM

City Hall, Room 263

Rescheduled Meeting

Members Present: Sophie Maxwell, Matt Gonzalez.

Members Absent: Michela Alioto-Pier.

DOCUMENTS DEPT.

SEP 30 2004

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MEETING CONVENED

The meeting convened at 11:05 a.m.

REGULAR AGENDA

041190 [Reauthorization and Expansion of the First Source Hiring Program]

Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by amending sections 83.3, 83.4, 83.5, 83.6, 83.7, 83.9, 83.11, and by adding section 83.12A to: (1) expand the scope of the ordinance to apply to any work performed in the City by City contractors; (2) expand the definition of contract to include sole source contracts and contracts, loans and grants awarded by the City in excess of \$50,000; (3) include residential projects, as defined herein, to be subject to first source hiring requirements; (4) expand the definition of "commercial activity," as defined herein; (5) increase the First Source Hiring Administration's reporting requirements to the Mayor and the Board of Supervisors regarding the progress of the first source hiring program; (6) delete the requirement that the Purchaser shall determine the applicability of the first source hiring requirements to certain service contracts; (7) require developers to obtain a first source hiring agreement or an exemption before the Planning Commission may approve development projects or other City departments may issue permits subject to first source requirements; (8) impose a fee schedule on covered entities; and (9) extend the operative date to January 1, 2009.

8/17/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/16/2004

9/22/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee Speakers: Don Hess;

Lavester Rankin, Safeway, Inc

9/22/04 Amendment of the Whole Bearing New Title

9/22/04, CONTINUED. Continued to 9/27/04

Speakers: None.

9/27/04 Amendment of the Whole Bearing New Title

Supervisor Gonzalez requested to be added as a co-sponsor.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending the San Francisco Administrative Code by amending sections 83.3, 83.4, 83.5, 83.6, 83.7, 83.9, 83.11 and 83.18 to: (1) expand the scope of the ordinance to apply to any work performed in the City by City contractors; (2) expand the definition of contract to include sole source contracts and contracts, loans and grants awarded by the City in excess of \$50,000; (2) include residential projects, as defined herein, to be subject to first source hiring requirements; (4) expand the definition of "commercial activity," as defined herein; (5) increase the First Source Hiring Administration's reporting requirements to the Mayor and the Board of Supervisors regarding the progress of the first source hiring program; (6) delete the requirement that the Purchaser must determine the applicability of the First Source Hiring Ordinance to certain service contracts; (7) require developers to obtain a first source hiring agreement or an exemption before the Planning Commission may approve development projects or other City departments may issue permits subject to first source requirements; and (8) extend operative date to January 1, 2009.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

ADJOURNMENT

The meeting adjourned at 11:07 a.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, October 06, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

SEP 30 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

1. 041213 [Appointment - Board of Appeals]

Motion approving the Mayor's appointment of Frank Fung to the Board of Appeals for the term ending July 1, 2008. (Mayor)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041214.)

Transmittal date - August 24, 2004.

8/24/04, RECEIVED AND ASSIGNED to Rules Committee. 9/16/04 - Applicant out of the country until 9/30/04, appointment to be considered on 10/6/04.

9/28/04 - Mailed Notice to Appear to applicant.

2. 041214 **[Appointment - Board of Appeals]**
Motion rejecting the Mayor's appointment of Frank Fung to the Board of Appeals. (Mayor)
- (Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)
Transmittal date - August 24, 2004.
- 8/24/04, RECEIVED AND ASSIGNED to Rules Committee. 9/16/04 - Applicant out of the country until 9/30/04, appointment to be considered on 10/6/04.
9/28/04 - Mailed Notice to Appear to applicant.
3. 040988 **[Prohibiting contractors from disclosing private information about individuals obtained from the City and County without written approval or authorization by law]**
Supervisors McGoldrick, Peskin, Maxwell, Ammiano, Gonzalez
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12M to prohibit contractors from disclosing to any person or entity private information about individuals obtained from the City and County in the performance of the contract unless the contract authorizes the disclosure, the contractor first obtains the written approval of the contracting department, or the disclosure is authorized or required by law.
- 7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004.
8/9/04, RESPONSE RECEIVED. Law Library - There are no current or prospective contracts that would be affected by the proposed legislation.
4. 040989 **[Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]**
Supervisor McGoldrick
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.
- 7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004.
8/9/04, RESPONSE RECEIVED. Law Library - There are no current or prospective contracts that would be affected by the proposed legislation.
5. 040698 **[2003-2004 San Francisco Civil Grand Jury Report, Incarceration and Beyond: Where do we go from here?]**
Supervisor Maxwell
Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on the incarceration and release of inmates.
- 7/20/04, RECEIVED AND ASSIGNED to Rules Committee.
9/22/04, CONTINUED. Heard in Committee. Speaker: Jack McNulty, Civil Grand Jury.
Continued to 10/6/04.

6. **041266 [Zoning Administrator]
 Supervisor Daly**

Hearing on the ability of the Zoning Administrator to approve changes to projects that have already obtained approvals at the Planning Commission and/or Board of Supervisors.

9/14/04, RECEIVED AND ASSIGNED to Rules Committee.

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

7. **041282 [Settlement of Unlitigated Claim - National Airlines]
 Mayor**

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission (the "Airport"), against National Airlines ("National") by approving a Settlement Agreement pursuant to which National will pay to the Airport \$12,374.23.

9/14/04, RECEIVED AND ASSIGNED to Rules Committee.

8. **041342 [Settlement of Lawsuit - Apartment Investment and Management Company, aka AIMCO, et al.]**

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against AIMCO and seven of its corporate affiliates, filed on January 30, 2002 in San Francisco Superior Court, Case No. GCG 02-404-010, entitled City and County of San Francisco, et al., v. Apartment Investment and Management Company, aka AIMCO, et al., relating to code violations at four apartment buildings in Bayview/Hunters Point, and a cross-complaint against the City and certain individual employees filed on January 28, 2003; the settlement provides for payment to the City of a total of \$3,000,000 plus an additional contingent payment of \$500,000; \$1,000,000 of the \$3,000,000 payment from AIMCO will be dedicated to improving public safety in the area through helping establish a new Hunters Point/Bayview S.F. Boys and Girls Club with an associated Police Department Office; the settlement also provides that AIMCO has abated or will abate all notices of violation issued by the Department of Building Inspection that were the subject of the lawsuit; and approving satisfaction of DBI fees for AIMCO's proposed renovation of the Properties, through AIMCO's payment of settlement funds to the City. (City Attorney)

9/20/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

041335 [Designation of County Surveyor]

Ordinance amending Administrative Code Section 2A.190 and Subdivision Code Section 1307 to designate and distinguish the official titles and duties of City Engineer and County Surveyor and amending Subdivision Code Sections 1310, 1311, 1320, 1324 through 1329, 1340, 1355, 1360 through 1364, and 1397 to reassign responsibilities from the City Engineer to the County Surveyor. (Public Works Department)

9/21/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/4/2004.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

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Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



City and County of San Francisco

≡ Meeting Minutes

≡ Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, October 06, 2004

10:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED.

The meeting convened at 10:05 a.m.

DOCUMENTS DEPT.

OCT 12 2004

REGULAR AGENDA

SAN FRANCISCO
PUBLIC LIBRARY

041213 [Appointment - Board of Appeals]

Motion approving the Mayor's appointment of Frank Fung to the Board of Appeals for the term ending July 1, 2008. (Mayor)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041214.)

Transmittal date - August 24, 2004.

8/24/04, RECEIVED AND ASSIGNED to Rules Committee 9/16/04 - Applicant out of the country until 9/30/04, appointment to be considered on 10/6/04.

9/28/04 - Mailed Notice to Appear to applicant.

Heard in Committee. Speakers: John Schlesinger; Sue Hestor; John Emery, CREA; Ted Lakey, Deputy City Attorney.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041214 [Appointment - Board of Appeals]

Motion rejecting the Mayor's appointment of Frank Fung to the Board of Appeals. (Mayor)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)

Transmittal date - August 24, 2004.

8/24/04, RECEIVED AND ASSIGNED to Rules Committee. 9/16/04 - Applicant out of the country until 9/30/04, appointment to be considered on 10/6/04.

9/28/04 - Mailed Notice to Appear to applicant.

Speakers: None.

TABLED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

040988 [Prohibiting contractors from disclosing private information about individuals obtained from the City and County without written approval or authorization by law]

Supervisors McGoldrick, Peskin, Maxwell, Ammiano, Gonzalez, Alioto-Pier

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12M to prohibit contractors from disclosing to any person or entity private information about individuals obtained from the City and County in the performance of the contract unless the contract authorizes the disclosure, the contractor first obtains the written approval of the contracting department, or the disclosure is authorized or required by law.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004.

8/9/04, RESPONSE RECEIVED. Law Library - There are no current or prospective contracts that would be affected by the proposed legislation.

Heard in Committee. Speakers: Supervisor Jake McGoldrick; Naomi Little, City Purchaser; Wade Crowfoot, Mayor's liaison to the Board of Supervisors; Ted Lakey, Deputy City Attorney; Robert Bryan, Deputy City Attorney.

Supervisor Michela Alioto-Pier requested to be added as a co-sponsor.

10/6/04: Amend Page 2, line 7 after "that" add "(1)". On line 9 after "relative" delete the ". ".

AMENDED.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

- 040989** [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]

Supervisors McGoldrick, Alioto-Pier

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004.

8/9/04, RESPONSE RECEIVED. Law Library - There are no current or prospective contracts that would be affected by the proposed legislation.

Heard in Committee. Speakers: Supervisor Jake McGoldrick; Naomi Little, City Purchaser; Ron Dicks, Vice President, IFPTE Local 21; Steve Solnit, IFPTE Local 21 Elected Delegate; Gabrielle Drinard on behalf of Alice Fairley; Wade Crowfoot, Mayor's liaison to the Board of Supervisors; Robert Bryan, Deputy City Attorney.

Supervisor Michela Alioto-Pier requested to be added as a co-sponsor.

10/6/04: Amendment of the whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

- 040698** [2003-2004 San Francisco Civil Grand Jury Report, Incarceration and Beyond: Where do we go from here?]

Supervisor Maxwell

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on the incarceration and release of inmates.

7/20/04, RECEIVED AND ASSIGNED to Rules Committee.

9/22/04, CONTINUED. Heard in Committee. Speaker: Jack McNulty, Civil Grand Jury.
Continued to 10/6/04.

Heard in Committee. Speakers: Jack L. McNulty, Foreperson, San Francisco Civil Grand Jury; Melinda Mills, Member, San Francisco Civil Grand Jury; Sheriff Michael Hennessey, Sheriff's Department; John Schlesinger.

FILED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

- 041266** [Zoning Administrator]

Supervisor Daly

Hearing on the ability of the Zoning Administrator to approve changes to projects that have already obtained approvals at the Planning Commission and/or Board of Supervisors.

9/14/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Lena Gomes, Legislative Aide to Supervisor Chris Daly; Larry Badiner, Zoning Administrator, Planning Department; Sue Hestor; Charles Morsteller; Nancy Gin; Jim Chappell, President, SPUR; Judy Berkowitz; John Singer, Law Firm of Singer and Olsen.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041282 [Settlement of Unlitigated Claim - National Airlines]

Mayor

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission (the "Airport"), against National Airlines ("National") by approving a Settlement Agreement pursuant to which National will pay to the Airport \$12,374.23.

9/14/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041342 [Settlement of Lawsuit - Apartment Investment and Management Company, aka AIMCO, et al.]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against AIMCO and seven of its corporate affiliates, filed on January 30, 2002 in San Francisco Superior Court, Case No. GCG 02-404-010, entitled City and County of San Francisco, et al., v. Apartment Investment and Management Company, aka AIMCO, et al., relating to code violations at four apartment buildings in Bayview/Hunters Point, and a cross-complaint against the City and certain individual employees filed on January 28, 2003; the settlement provides for payment to the City of a total of \$3,000,000 plus an additional contingent payment of \$500,000; \$1,000,000 of the \$3,000,000 payment from AIMCO will be dedicated to improving public safety in the area through helping establish a new Hunters Point/Bayview S.F. Boys and Girls Club with an associated Police Department Office; the settlement also provides that AIMCO has abated or will abate all notices of violation issued by the Department of Building Inspection that were the subject of the lawsuit; and approving satisfaction of DBI fees for AIMCO's proposed renovation of the Properties, through AIMCO's payment of settlement funds to the City. (City Attorney)

9/20/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 12:32 p.m.

Meeting Agenda

Rules Committee

Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, October 20, 2004

9:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

1. 041384 [Appointment - Graffiti Advisory Board]

Hearing to consider appointing one member to the Graffiti Advisory Board, for an indefinite term.

1 seat being considered

Vacant seat, succeeding Supervisor Gavin Newsom, resigned, seat 1, must be member of the Board of Supervisors, for an indefinite term.

9/24/04, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/1 applicant

Supervisor Tom Ammiano, seat 1

DOCUMENTS DEPT.

OCT 18 2004

SAN FRANCISCO
PUBLIC LIBRARY

10 18-04A10:41:50

2. **041217 [Appointment - Sunshine Ordinance Task Force]**
Hearing to consider appointing one member to the Sunshine Ordinance Task Force.
- Vacant seat, succeeding Pawan Mehra, resigned, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for the unexpired portion of a two-year term ending April 27, 2005.
- 8/24/04, RECEIVED AND ASSIGNED to Rules Committee. 10/14/04: Notice for applicant to appear at Rules Meeting letter sent to applicant.
1 seat/1 applicant
Rosalina Contreras-Rosado, seat 4
3. **041426 [Appointment - Commission on the Aging Advisory Council]**
Hearing to consider appointing one member to the Commission on the Aging Advisory Council.
- Vacant seat, succeeding Harriet Sebastian, resigned, seat 2, must be nominee of District 6 Supervisor, for the unexpired portion of a two-year term ending March 31, 2006.
- 10/6/04, RECEIVED AND ASSIGNED to Rules Committee. 10/14/04: Notice for applicant to appear at Rules Meeting letter sent to applicant.
1 seat/1 applicant
Alexander MacDonald, seat 2
4. **041242 [Adding the Department on the Status of Women to the Justice Tracking System (JUSTIS) Committee Governance Council]**
Supervisors Ma, Maxwell, Alioto-Pier, Dufty
Ordinance amending San Francisco Administrative Code Section 2A.85 by adding the Department on the Status of Women as a member of the Justice Tracking System (JUSTIS) Committee Governance Council and authorizing membership to agencies that operate programs integrally related to the criminal justice system.
- 9/14/04, RECEIVED AND ASSIGNED to Rules Committee.
5. **041260 [Controller's work plan for performing functions under the City Services Auditor]**
Supervisors Ma, Dufty, Maxwell
Hearing to consider the Controller's work plan for performing functions under the City Services Auditor, including Proposition Q audits.
- 9/14/04, RECEIVED AND ASSIGNED to Rules Committee.
6. **041254 [Julie Lee]**
Supervisor Gonzalez
Hearing on the appropriateness of Julie Lee serving on the Housing Authority Commission, given the pending investigations related to violations of the California Fair Political Practices Act.
- 9/14/04, RECEIVED AND ASSIGNED to Rules Committee.
7. **041280 [Housing Authority Commissioner Julie Lee]**
Supervisors Gonzalez, Ammiano, Daly, Peskin, Elsbernd
Resolution urging Housing Authority Commissioner Julie Lee to resign, urging the Mayor to call for her resignation and urging the Housing Authority Commission to call for her resignation.
- 9/14/04, RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

IMPORTANT INFORMATION

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LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

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041335 [Designation of County Surveyor] Supervisor Ma

Ordinance amending Administrative Code Section 2A.190 and Subdivision Code Section 1307 to designate and distinguish the official titles and duties of City Engineer and County Surveyor and amending Subdivision Code Sections 1310, 1311, 1320, 1324 through 1329, 1340, 1355, 1360 through 1364, and 1397 to reassign responsibilities from the City Engineer to the County Surveyor. (Public Works Department)

9/21/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/4/2004 10/8/04 - Supervisor Ma requested to be added as sponsor.

Meeting Procedures

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RULES COMMITTEE
S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689

IMPORTANT HEARING NOTICE!!!



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: *Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez*

Clerk: *Linda Laws*

City Hall
1 Dr Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, October 20, 2004

9:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

DOCUMENTS DEPT.

OCT 22 2004

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PUBLIC LIBRARY

MEETING CONVENED

The meeting convened at 9:03 a.m.

041384 [Appointment - Graffiti Advisory Board]

Hearing to consider appointing one member to the Graffiti Advisory Board, for an indefinite term.

1 seat being considered

Vacant seat, succeeding Supervisor Gavin Newsom, resigned, seat 1, must be member of the Board of Supervisors, for an indefinite term.

9/24/04, RECEIVED AND ASSIGNED to Rules Committee.

Speakers: None.

Appointment of Supervisor Tom Ammiano, seat 1, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Supervisor Tom Ammiano, term indefinite, to the Graffiti Advisory Board.

Supervisor Tom Ammiano, succeeding Supervisor Gavin Newsom, resigned, seat 1, must be member of the Board of Supervisors, for an indefinite term.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

041217 [Appointment - Sunshine Ordinance Task Force]

Hearing to consider appointing one member to the Sunshine Ordinance Task Force.

Vacant seat, succeeding Pawan Mehra, resigned, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for the unexpired portion of a two-year term ending April 27, 2005.

8/24/04, RECEIVED AND ASSIGNED to Rules Committee. 10/14/04: Notice for applicant to appear at Rules Meeting letter sent to applicant. Sunshine Task Force Administrator notified of meeting.

Heard in Committee. Speakers: Donna Hall, Sunshine Ordinance Task Force; Rosalina Contreras-Rosado, applicant.

Appointment of Rosalina Contreras-Rosado, seat 4, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Rosalina Contreras-Rosado, term ending April 27, 2005, to the Sunshine Ordinance Task Force.

Rosalina Contreras-Rosado, succeeding Pawan Mehra, resigned, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for the unexpired portion of a two-year term ending April 27, 2005.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041426 [Appointment - Commission on the Aging Advisory Council]

Hearing to consider appointing one member to the Commission on the Aging Advisory Council.

Vacant seat, succeeding Harriet Sebastian, resigned, seat 2, must be nominee of District 6 Supervisor, for the unexpired portion of a two-year term ending March 31, 2006.

10/6/04, RECEIVED AND ASSIGNED to Rules Committee. 10/14/04: Notice for applicant to appear at Rules Meeting letter sent to applicant. The Commission on Aging contact notified of meeting.

Heard in Committee. Speaker: Alexander MacDonald, applicant.

Appointment of Alexander MacDonald, seat 2, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Alexander MacDonald, term ending March 31, 2006, to the Commission on the Aging Advisory Council.

Alexander MacDonald, succeeding Harriet Sebastian, resigned, seat 2, must be nominee of District 6 Supervisor, for the unexpired portion of a two-year term ending March 31, 2006.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

041422 [Adding the Department on the Status of Women to the Justice Tracking System (JUSTIS) Committee Governance Council]

Supervisors Ma, Maxwell, Alioto-Pier, Dufty

Ordinance amending San Francisco Administrative Code Section 2A.85 by adding the Department on the Status of Women as a member of the Justice Tracking System (JUSTIS) Committee Governance Council and authorizing membership to agencies that operate programs integrally related to the criminal justice system.

9/14/04, RECEIVED AND ASSIGNED to Rules Committee. 10-14-04: Department on the Status of Women notified of Rules Committee Meeting on October 20, 2004.

Heard in Committee. Speaker: Emily Murase, Department on the Status of Women.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041260 [Controller's work plan for performing functions under the City Services Auditor]**Supervisors Ma, Dufty, Maxwell**

Hearing to consider the Controller's work plan for performing functions under the City Services Auditor, including Proposition Q audits.

9/14/04, RECEIVED AND ASSIGNED to Rules Committee 10-14-04: Controller's Office notified of October 20, 2004 Rules Committee meeting.

Heard in Committee. Speakers: Monique Zmuda and Peg Stevenson, Controller's Office; Ed Harrington, Controller.

FILED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041254 [Julie Lee]**Supervisor Gonzalez**

Hearing on the appropriateness of Julie Lee serving on the Housing Authority Commission, given the pending investigations related to violations of the California Fair Political Practices Act.

9/14/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Cheryl Adams, Deputy City Attorney; Monique Zmuda, Controller's Office.

FILED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041280 [Housing Authority Commissioner Julie Lee]**Supervisors Gonzalez, Ammiano, Daly, Peskin, Elsbernd**

Resolution urging Housing Authority Commissioner Julie Lee to resign, urging the Mayor to call for her resignation and urging the Housing Authority Commission to call for her resignation.

9/14/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Cheryl Adams, Deputy City Attorney; Monique Zmuda, Controller's Office.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

10/20/04 Amendment of the Whole Bearing Same Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 10:19 a.m.





City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, October 27, 2004

9:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

DOCUMENTS DEPT

OCT 22 2004

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10-22-04 AM 10:00

1. 041111 [Appointment - Assessment Appeals Board No. 1]
Resolution appointing Peter Fatooh and Carol Ruth Silver to the Assessment Appeals Board No. 1 for a three-year term ending September 3, 2007.
- Peter Fatooh, succeeding himself, term expiring September 6, 2004, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007. Carol Ruth Silver, succeeding Thomas Ramm, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board for a three-year term ending September 3, 2007.
- 7/29/04, RECEIVED AND ASSIGNED to Rules Committee. 9/9/04 - Mailed Notice to Appear to applicants.
8/11/04, PREPARED IN COMMITTEE AS A RESOLUTION. Heard in Committee. Speakers: Peter Fatooh, applicant; Thomas Ramm, applicant; Carol Ruth Silver, applicant.
Appointment of Peter Fatooh, Seat 1; Carol Ruth Silver, Seat 4, Recommended.
To Board as a Committee Report for the August 17, 2004 Meeting
8/11/04, RECOMMENDED AS COMMITTEE REPORT.
8/17/04, RE-REFERRED.
9/15/04, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Peter Fatooh; Carol Ruth Silver; Stephen Wasserman.
2 seats/7 applicants
Peter Fatooh, John Emery, seat 1
Calvin Abe, Carolyn Gold, Chris Kollaja, Carol Ruth Silver, Stephen Wasserman, seat undeclared
2. 041356 [Back Streets Business Advisory Board]
Supervisors Maxwell, Dufty
Ordinance adding Sections 5.260 through 5.264 of the Administrative Code, to create a Back Streets Business Advisory Board, comprised of seven voting members appointed by the Board of Supervisors, and non-voting members representing various organs of government; to require the advisory board within nine months of its initial meeting to submit a report to the Board of Supervisors on matters pertaining to Back Streets businesses; to require the Board of Supervisors or a Board committee to hold a hearing on the report; and to authorize the advisory board to submit other reports to the Board of Supervisors and to communicate with the Board of Supervisors, other governmental entities, the business community, and the public on matters pertaining to Back Streets businesses.
- 9/28/04, RECEIVED AND ASSIGNED to Rules Committee.
10/6/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.
3. 041460 [Tabulating ranked choice votes for the November 2nd, 2004 Election]
Supervisor Gonzalez
Resolution directing the Department of Elections and urging the Elections Commission to release timely and substantial ranked choice ballot information.
- 10/19/04, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled at the October 27, 2004 meeting.

4. **041368 [Board Chamber Accessibility Retrofitting]**
Hearing to review the recommendations of the Review Committee regarding retrofitting the Board Chamber to provide accessibility to the dais of the President of the Board of Supervisors. (Clerk of the Board)

9/28/04, RECEIVED AND ASSIGNED to Rules Committee.

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

5. **041244 [Settlement of Lawsuit - Alema Hoskins, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Alema Hoskins, a minor, by and through her guardian, Susie McAllister and Jeanell Harris, a minor, by and through her guardian, Inell Manuel against the City and County of San Francisco for \$108,000; the lawsuit was filed on January 17, 2003 in San Francisco Superior Court, Case No 416-515; entitled Alema Hoskins, et al., v. City and County of San Francisco, et al. (City Attorney)

9/20/04, RECEIVED AND ASSIGNED to Rules Committee
6. **041250 [Settlement of Lawsuit - Mehran Esmaili, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Mehran Esmaili, et al., against the City and County of San Francisco for \$49,500; the lawsuit was filed on September 23, 1999, in Santa Clara County Superior Court, Case No. 1-02-CV805070; entitled Mehran Esmaili, et al. v. City of Millbrae, et al.; other material terms of said settlement are: (1) Each party shall mutually release the other from all claims arising from the February/March 2000 landslide that forms the basis of the action; (2) Each party shall dismiss with prejudice all complaints and cross-complaints filed in the action; and (3) Each party shall bear its own legal costs and fees;

9/20/04, RECEIVED AND ASSIGNED to Rules Committee
7. **041338 [Settlement of Claim - Shon Escamillo]**
Resolution Approving the settlement of unlitigated claim of Shon Escamillo against San Francisco for \$29,000; claims was filed on June 24, 2003. (City Attorney)

9/30/04, RECEIVED AND ASSIGNED to Rules Committee

8. 041339 [Settlement of Claim - Narvette Lewis Deshay]

Resolution approving the settlement of the unlitigated claim filed by Narvette Lewis Deshay against San Francisco for \$100,000; claim was filed on October 20, 2003. (City Attorney)

9/30/04, RECEIVED AND ASSIGNED to Rules Committee.

9. 041340 [Settlement of Lawsuits - Kevin B. Williams]

Ordinance authorizing settlement of the following lawsuits filed by Kevin B. Williams against the City and County of San Francisco: (1) lawsuit filed on or about December 2000 in United States District Court for the Northern District of California, Case No. C00-4728 SI, entitled Kevin Williams v. City and County of San Francisco, et al.; (2) lawsuit filed on or about December 2003 in San Francisco Superior Court, Case No. 503990, entitled Kevin Williams v. City and County of San Francisco; (3) lawsuit filed on or about September 2002 in San Francisco Superior Court, Case No. 411914; entitled Kevin Williams, on behalf of the City and County of San Francisco and himself v. Tutor Saliba, Inc., et al.; material terms of the settlement are that plaintiff dismisses all lawsuits with prejudice, that plaintiff resigns from City employment and forgoes future City employment, that City pays to plaintiff the amount of \$120,000, of which approximately \$71,243.68 is intended to make up a retirement account shortfall, and that Federal Magistrate Judge is to decide amount of attorneys' fees and costs, based on motion by plaintiff's attorneys, in an amount not to exceed \$280,000. (City Attorney)

9/27/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE**(Not to be considered at this meeting)**

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

**041335 [Designation of County Surveyor]
Supervisor Ma**

Ordinance amending Administrative Code Section 2A.190 and Subdivision Code Section 1307 to designate and distinguish the official titles and duties of City Engineer and County Surveyor and amending Subdivision Code Sections 1310, 1311, 1320, 1324 through 1329, 1340, 1355, 1360 through 1364, and 1397 to reassign responsibilities from the City Engineer to the County Surveyor. (Public Works Department)

9/21/04. ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/4/2004 10/8/04 - Supervisor Ma requested to be added as sponsor.

Meeting Procedures

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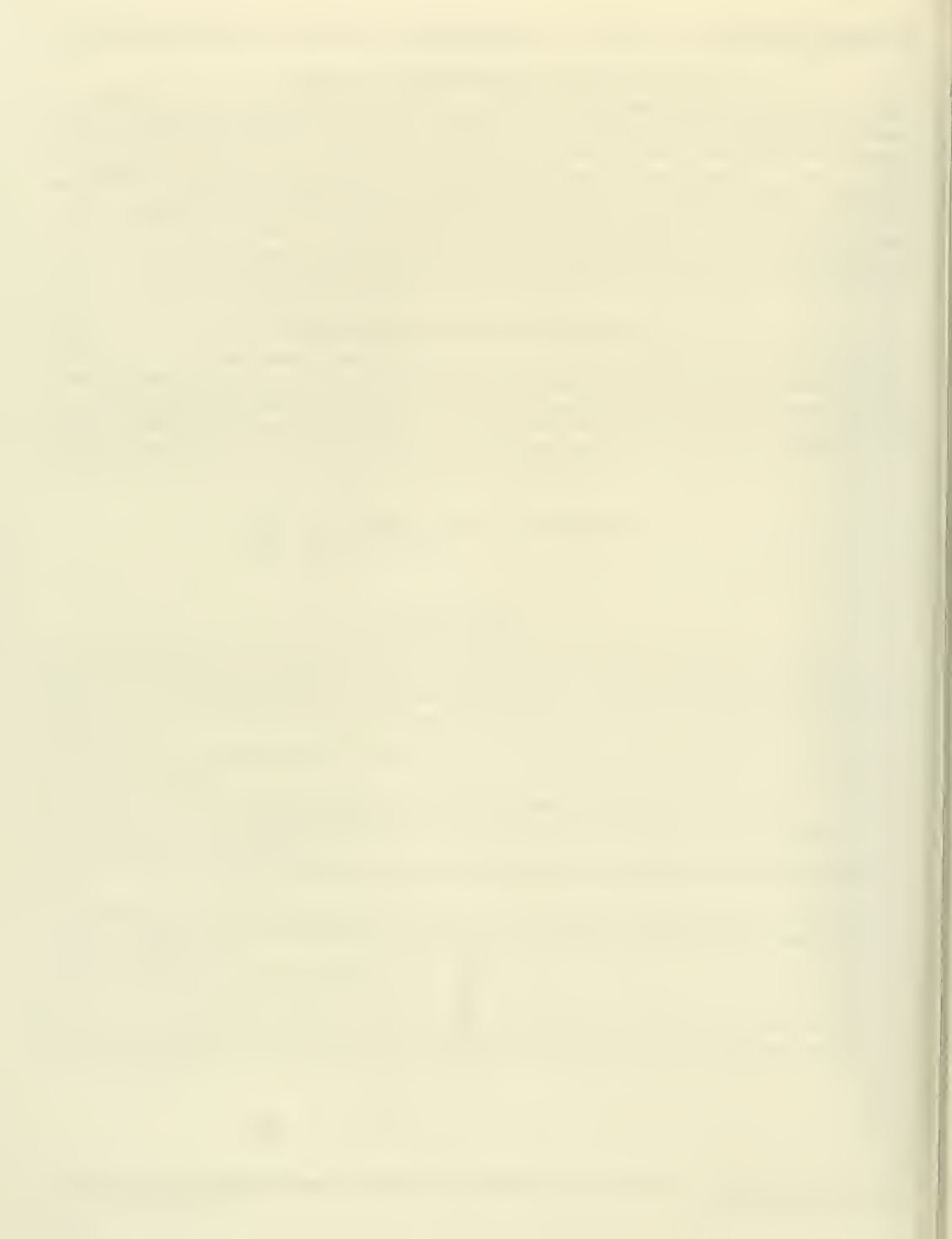
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City and County of San Francisco

Meeting Agenda

Rules Committee

Members: *Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez*

Clerk: *Linda Laws*

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, November 10, 2004

9:00 AM

City Hall, Room 263

Special Meeting

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AGENDA CHANGES

DOCUMENTS DEPT.

NOV - 5 2004

REGULAR AGENDA

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PUBLIC LIBRARY

1. 041449 [Establishing a Shelter Monitoring Committee]
 Supervisor Gonzalez
 Ordinance adding Article XII to Article 20 of the San Francisco Administrative Code to establish a Shelter Monitoring Committee to monitor and report on emergency homeless shelters funded in whole or in part by the City.
 10/19/04, RECEIVED AND ASSIGNED to Rules Committee
2. 041354 [Utility Undergrounding Task Force]
 Supervisors Dufty, Maxwell, Ma, Alioto-Pier
 Resolution creating a Utility Undergrounding Task Force to advise the City and County of San Francisco concerning the future of utility undergrounding in San Francisco and to complete its work by September 1, 2005.
 9/28/04, RECEIVED AND ASSIGNED to Rules Committee
 10/6/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.
 10/26/04, RESPONSE RECEIVED. No comment

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

3. 041427 [Settlement of Lawsuit - Armstrong, et al., v. CCSF, et al.]

Ordinance authorizing settlement of claims made by James Armstrong in a multi-party action against the City and County of San Francisco for \$50,000.00, placement in Step 3 of current 5173 classification, and payment of the difference between the Step 3 pay rate and the pay rate actually received by James Armstrong retroactive to April 26, 2003; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)

10/8/04, RECEIVED AND ASSIGNED to Rules Committee.

4. 041437 [Partial Settlement of Lawsuit - Eugene Kalinin, et al.]

Ordinance authorizing partial settlement of the lawsuit filed by Tim Anderson, Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Edward Allen Ellstad, Eugene Kalinin, Daniel Manning, Sonia Mariona, William Moralez, Brian J. Perry and Jack Z. Wronski against the City and County of San Francisco for \$240,000; the lawsuit was filed on November 5, 2003, in the United States District Court, Northern District of California, Case No. C-03-4928 MHP; entitled Eugene Kalinin, et al., v. City and County of San Francisco, et al; the partial settlement resolves certain claims in the lawsuit brought by plaintiffs Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Eugene Kalinin, Daniel Manning and Sonia Marion; all plaintiffs have additional claims remaining in the lawsuit. (City Attorney)

10/14/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

041487 [Mayor's Office on Disability] Supervisor Alioto-Pier

Ordinance amending the San Francisco Administrative Code by amending the title to Chapter 2A, Article 1 to add the Department of Administrative Services and by adding a new Section 2A.22 to Chapter 2A, Article 1 to create the Mayor's Office on Disability and place it within the Department of Administrative Services and empower the Mayor's Office on Disability to issue, subject to approval by ordinance of the Board of Supervisors, policies and procedures with respect to compliance with the Americans with Disabilities Act (Public Law 101-336) and other disability rights laws and disability access regulations and codes.

10/26/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/25/2004

041489**[Regulation of Electioneering Communications]****Supervisors Maxwell, Peskin, Alioto-Pier, McGoldrick, Sandoval**

Ordinance amending Chapter One of Article One of the Campaign and Governmental Conduct Code by adding section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications.

10/26/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/25/2004.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, October 27, 2004

9:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED

DOCUMENTS DEPT.

OCT 29 2004

SAN FRANCISCO
PUBLIC LIBRARY

The meeting convened at 9:13 a.m.

041111 [Appointment - Assessment Appeals Board No. 1]

Resolution appointing Peter Fatooh and Carol Ruth Silver to the Assessment Appeals Board No. 1 for a three-year term ending September 3, 2007.

Peter Fatooh, succeeding himself, term expiring September 6, 2004, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Carol Ruth Silver, succeeding Thomas Ramm, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board for a three-year term ending September 3, 2007.

7/29/04, RECEIVED AND ASSIGNED to Rules Committee 9/9/04 - Mailed Notice to Appear to applicants.

8/11/04, PREPARED IN COMMITTEE AS A RESOLUTION. Heard in Committee. Speakers: Peter Fatooh, applicant; Thomas Ramm, applicant; Carol Ruth Silver, applicant

Appointment of Peter Fatooh, Seat 1; Carol Ruth Silver, Seat 4. Recommended

To Board as a Committee Report for the August 17, 2004 Meeting.

8/11/04, RECOMMENDED AS COMMITTEE REPORT

8/17/04, RE-REFERRED.

9/15/04, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Peter Fatooh; Carol Ruth Silver, Stephen Wasserman.

Heard in Committee. Speakers: Peter Fatooh, applicant; Craig Dziedsic and Julie Wu, Assessor/Recorder's Office; John Emery, Stephen Wasserman, Chris Kollaja; Carolyn Gold, Carol Ruth Silver, applicants.

Appointment of Peter Fatooh, seat 1; Carol Ruth Silver, seat 4, recommended for 11/16/04 Board Meeting.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

**041356 [Back Streets Business Advisory Board]
Supervisors Maxwell, Dufty**

Ordinance adding Sections 5.260 through 5.264 of the Administrative Code, to create a Back Streets Business Advisory Board, comprised of seven voting members appointed by the Board of Supervisors, and non-voting members representing various organs of government; to require the advisory board within nine months of its initial meeting to submit a report to the Board of Supervisors on matters pertaining to Back Streets businesses; to require the Board of Supervisors or a Board committee to hold a hearing on the report; and to authorize the advisory board to submit other reports to the Board of Supervisors and to communicate with the Board of Supervisors, other governmental entities, the business community, and the public on matters pertaining to Back Streets businesses.

9/28/04, RECEIVED AND ASSIGNED to Rules Committee.

10/6/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

Heard in Committee. Speakers: Chris Selleck, Mission Anti-Displacement Coalition; Antonio Villas; Sue Hestor; Manuel Villa; Charlie Shaunas; Female Speaker; Carol Ruth Silver.

10/27/04 Amendment of the Whole Bearing New Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance adding Sections 5.260 through 5.265 of the Administrative Code, to create a Back Streets Business Advisory Board, comprised of nine voting members, eight appointed by the Board of Supervisors and one appointed by the Small Business Commission, and non-voting members representing various organs of government; to require the advisory board within nine months of its initial meeting to submit a report to the Board of Supervisors on matters pertaining to Back Streets businesses; to require the Board of Supervisors or a Board committee to hold a hearing on the report; to authorize the advisory board to submit other reports to the Board of Supervisors and to communicate with the Board of Supervisors, the Small Business Commission, other governmental entities, the business community, and the public on matters pertaining to Back Streets businesses; and to provide for the sunset of the advisory board in two years.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

**041460 [Tabulating ranked choice votes for the November 2nd, 2004 Election]
Supervisor Gonzalez**

Resolution directing the Department of Elections and urging the Elections Commission to release timely and substantial ranked choice ballot information.

10/19/04, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled at the October 27, 2004 meeting.

Speakers: None.

TABLED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041368 [Board Chamber Accessibility Retrofitting]

Hearing to review the recommendations of the Review Committee regarding retrofitting the Board Chamber to provide accessibility to the dais of the President of the Board of Supervisors. (Clerk of the Board)

9/28/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Gloria Young, Clerk of the Board; Susan Mizner, Mayor's Office on Disability; Stanley So, Department of Public Works; Ted Lakey, Deputy City Attorney.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041244 [Settlement of Lawsuit - Alema Hoskins, et al.]

Ordinance authorizing settlement of the lawsuit filed by Alema Hoskins, a minor, by and through her guardian, Susie McAllister and Jeanell Harris, a minor, by and through her guardian, Inell Manuel against the City and County of San Francisco for \$108,000; the lawsuit was filed on January 17, 2003 in San Francisco Superior Court, Case No 416-515; entitled Alema Hoskins, et al., v. City and County of San Francisco, et al. (City Attorney)

9/20/04, RECEIVED AND ASSIGNED to Rules Committee

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041250 [Settlement of Lawsuit - Mehran Esmaili, et al.]

Ordinance authorizing settlement of the lawsuit filed by Mehran Esmaili, et al., against the City and County of San Francisco for \$49,500; the lawsuit was filed on September 23, 1999, in Santa Clara County Superior Court, Case No. 1-02-CV805070; entitled Mehran Esmaili, et al. v. City of Millbrae, et al.; other material terms of said settlement are: (1) Each party shall mutually release the other from all claims arising from the February/March 2000 landslide that forms the basis of the action; (2) Each party shall dismiss with prejudice all complaints and cross-complaints filed in the action; and (3) Each party shall bear its own legal costs and fees;

9/20/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041338 [Settlement of Claim - Shon Escamillo]

Resolution Approving the settlement of unlitigated claim of Shon Escamillo against San Francisco for \$29,000; claims was filed on June 24, 2003. (City Attorney)

9/30/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041339 [Settlement of Claim - Narvette Lewis Deshay]

Resolution approving the settlement of the unlitigated claim filed by Narvette Lewis Deshay against San Francisco for \$100,000; claim was filed on October 20, 2003. (City Attorney)

9/30/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

041340 [Settlement of Lawsuits - Kevin B. Williams]

Ordinance authorizing settlement of the following lawsuits filed by Kevin B. Williams against the City and County of San Francisco: (1) lawsuit filed on or about December 2000 in United States District Court for the Northern District of California, Case No. C00-4728 SI, entitled Kevin Williams v. City and County of San Francisco, et al.; (2) lawsuit filed on or about December 2003 in San Francisco Superior Court, Case No. 503990, entitled Kevin Williams v. City and County of San Francisco; (3) lawsuit filed on or about September 2002 in San Francisco Superior Court, Case No. 411914; entitled Kevin Williams, on behalf of the City and County of San Francisco and himself v. Tutor Saliba, Inc., et al.; material terms of the settlement are that plaintiff dismisses all lawsuits with prejudice, that plaintiff resigns from City employment and forgoes future City employment, that City pays to plaintiff the amount of \$120,000, of which approximately \$71,243.68 is intended to make up a retirement account shortfall, and that Federal Magistrate Judge is to decide amount of attorneys' fees and costs, based on motion by plaintiff's attorneys, in an amount not to exceed \$280,000. (City Attorney)

9/27/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

Deputy City Attorney Cheryl Adams reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Absent: 1 - Gonzalez

ADJOURNMENT

The meeting adjourned at 12:00 p.m.



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Clerk: Linda Laws

Wednesday, November 10, 2004

9:00 AM

City Hall, Room 263

Special Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED

DOCUMENTS DEPT.

NOV 10 2004

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041449 [Establishing a Shelter Monitoring Committee]
Supervisor Gonzalez

The meeting convened at 9:13 a.m.

Ordinance adding Article XII to Article 20 of the San Francisco Administrative Code to establish a Shelter Monitoring Committee to monitor and report on emergency homeless shelters funded in whole or in part by the City.

10/19/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: David Grenell, Legislative Aide to Supervisor Gonzalez; Wade Crowfoot, Mayor's Office; Trent Rhorer, Department of Human Services; Hank Wilson; Jennifer Friedenbach, Coalition on Homelessness; Dariush Kayhan, Department of Human Services; Diana Valentine, Shelter Advocates; John Melone, Shelter Service Committee; Laura Hampton; Larry Johnson; Maggie Henderson; Steven Chester, Coalition on Homelessness; Chance Martin, Coalition on Homelessness; Anna Kelleher, S.F. Women Against Rape; Bruce Allison; Female Speaker; Abdullah Megaded; Donna Gates, Coalition on Homelessness; Allison Lum; Jackie Jenks, Central City Hospitality House; Jesus Perez, Coalition on Homelessness; John Walsh; Paul Bowman; Raymond Smith; Andrea Salinas, Shelter Advocates; Jakkee Bryson; Male Speaker; Asa Henderson; Ida Watson; Male Speaker; Crystal Carter; Female Speaker; Jul Lynn Parsons, Mayor's Disability Council; Cheryl Adams, Deputy City Attorney.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance adding Article XII to Article 20 of the San Francisco Administrative Code to establish a Shelter Monitoring Committee to monitor and report on homeless shelters funded in whole or in part by the City.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041354 [Utility Undergrounding Task Force]**Supervisors Dufty, Maxwell, Ma, Alioto-Pier**

Resolution creating a Utility Undergrounding Task Force to advise the City and County of San Francisco concerning the future of utility undergrounding in San Francisco and to complete its work by September 1, 2005.

9/28/04, RECEIVED AND ASSIGNED to Rules Committee.

10/6/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

10/26/04, RESPONSE RECEIVED. No comment.

Heard in Committee. Speakers: Rebecca Prozan, Legislative Aide to Supervisor Dufty; Dick Millet; Jess Taclas; Gino Graziani, COMCAST.

Continued to 11/17/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041427 [Settlement of Lawsuit - Armstrong, et al., v. CCSF, et al.]

Ordinance authorizing settlement of claims made by James Armstrong in a multi-party action against the City and County of San Francisco for \$50,000.00, placement in Step 3 of current 5173 classification, and payment of the difference between the Step 3 pay rate and the pay rate actually received by James Armstrong retroactive to April 26, 2003; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)

10/8/04, RECEIVED AND ASSIGNED to Rules Committee.

Continued to 11/17/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041437 [Partial Settlement of Lawsuit - Eugene Kalinin, et al.]

Ordinance authorizing partial settlement of the lawsuit filed by Tim Anderson, Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Edward Allen Ellstad, Eugene Kalinin, Daniel Manning, Sonia Mariona, William Moralez, Brian J. Perry and Jack Z. Wronski against the City and County of San Francisco for \$240,000; the lawsuit was filed on November 5, 2003, in the United States District Court, Northern District of California, Case No. C-03-4928 MHP; entitled Eugene Kalinin, et al., v. City and County of San Francisco, et al; the partial settlement resolves certain claims in the lawsuit brought by plaintiffs Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Eugene Kalinin, Daniel Manning and Sonia Marion; all plaintiffs have additional claims remaining in the lawsuit. (City Attorney)

10/14/04, RECEIVED AND ASSIGNED to Rules Committee.

Continued to 11/17/04.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 11:55 a.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Clerk: Linda Laws

Wednesday, November 17, 2004

9:00 AM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

1. 041354 [Utility Undergrounding Task Force]

Supervisors Dufty, Maxwell, Ma, Alioto-Pier

Resolution creating a Utility Undergrounding Task Force to advise the City and County of San Francisco concerning the future of utility undergrounding in San Francisco and to complete its work by September 1, 2005.

9/28/04, RECEIVED AND ASSIGNED to Rules Committee

10/6/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

10/26/04, RESPONSE RECEIVED. No comment.

11/10/04, CONTINUED. Heard in Committee. Speakers: Rebecca Prozan, Legislative Aide to Supervisor Dufty; Dick Millet; Jess Taclas; Gino Graziani, COMCAST.

Continued to 11/17/04

2. **041566 [Appointment - Child Care Planning and Advisory Council]**
Hearing to consider appointment one member to the Child Care Planning and Advisory Council.
- Vacant seat, succeeding Gwendolyn Henry, resigned, seat 1, must be a nominee of District 1 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of a two-year term ending December 31, 2004.
- 11/3/04, RECEIVED AND ASSIGNED to Rules Committee. 11/10/04 - Notice to appear sent to applicant.
1 seat/1 applicant
Margaret Jerene, seat 1
3. **041567 [Appointment - Child Care Planning and Advisory Council]**
Hearing to consider appointing one member to the Child Care Planning and Advisory Council.
- Vacant seat, succeeding Gwendolyn Henry, term expiring December 31, 2004, seat 1, must be a nominee of District 1 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a three-year term ending December 31, 2007.
- 11/3/04, RECEIVED AND ASSIGNED to Rules Committee. 11/10/04 - Notice to appear sent to applicant.
1 seat/1 applicant
Margaret Jerene, seat 1
4. **041316 [Surplus City Property]**
Supervisor Daly
Ordinance amending the San Francisco Administrative Code by amending Sections 23A.9, 23A.10 and 23A.11 to specify terms for appointed members of the Surplus Property Citizens' Advisory Committee, to clarify the requirements under Administrative Code Section 23.3 applicable to dispositions of surplus and underutilized property, and to clarify policy and procedures for dispositions of City-owned surplus and underutilized real property that is not listed on the annual Surplus Property Report.
- 9/21/04, RECEIVED AND ASSIGNED to Rules Committee.
5. **041359 [Western SoMa Citizens Planning Task Force]**
Supervisor Daly
Resolution establishing a 22 member Western SoMa Citizens Planning Task Force.
- 9/28/04, RECEIVED AND ASSIGNED to Rules Committee.
10/6/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.
10/26/04, RESPONSE RECEIVED. No comment.

6. **041335 [Designation of County Surveyor]
 Supervisor Ma**

Ordinance amending Administrative Code Section 2A.190 and Subdivision Code Section 1307 to designate and distinguish the official titles and duties of City Engineer and County Surveyor and amending Subdivision Code Sections 1310, 1311, 1320, 1324 through 1329, 1340, 1355, 1360 through 1364, and 1397 to reassign responsibilities from the City Engineer to the County Surveyor. (Public Works Department)

9/21/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/4/2004. 10/8/04 - Supervisor Ma requested to be added as sponsor.

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

7. **041189 [Settlement of Bankruptcy Claims Dispute, In re METROMEDIA FIBER NETWORK, INC]
 Supervisor Maxwell**

Ordinance authorizing settlement at 75% of face value of disputed bankruptcy creditor claims filed by the City and County of San Francisco against Chapter 11 Debtors, In re METROMEDIA FIBER NETWORK, INC., et al., Chapter 11, Case Nos. 02-22736 (ASH) through 02-22742 (ASH), 02-22744 (ASH) through 02-22746 (ASH), 02-22749 (ASH), and 02-22751 (ASH) through 02-22754 (ASH) (Jointly Administered), (U. S. Bankruptcy Court, Southern District of New York), and directing attorney for Tax Collector to effectuate settlement.

8/17/04, RECEIVED AND ASSIGNED to Rules Committee.

8. **041388 [Settlement of Lawsuit - Turlock Irrigation District]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Turlock Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 13, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323717). (City Attorney)

10/7/04, RECEIVED AND ASSIGNED to Rules Committee.

9. **041427** **[Settlement of Lawsuit - Armstrong, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of claims made by James Armstrong in a multi-party action against the City and County of San Francisco for \$50,000.00, placement in Step 3 of current 5173 classification, and payment of the difference between the Step 3 pay rate and the pay rate actually received by James Armstrong retroactive to April 26, 2003; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)

10/8/04, RECEIVED AND ASSIGNED to Rules Committee.
11/10/04, CONTINUED. Continued to 11/17/04.
10. **041437** **[Partial Settlement of Lawsuit - Eugene Kalinin, et al.]**
Ordinance authorizing partial settlement of the lawsuit filed by Tim Anderson, Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Edward Allen Ellstad, Eugene Kalinin, Daniel Manning, Sonia Mariona, William Moralez, Brian J. Perry and Jack Z. Wronski against the City and County of San Francisco for \$240,000; the lawsuit was filed on November 5, 2003, in the United States District Court, Northern District of California, Case No. C-03-4928 MHP; entitled Eugene Kalinin, et al., v. City and County of San Francisco, et al; the partial settlement resolves certain claims in the lawsuit brought by plaintiffs Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Eugene Kalinin, Daniel Manning and Sonia Marion; all plaintiffs have additional claims remaining in the lawsuit. (City Attorney)

10/14/04, RECEIVED AND ASSIGNED to Rules Committee.
11/10/04, CONTINUED. Continued to 11/17/04.
11. **041442** **[Settlement of Lawsuit - Andrew King v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Andrew King against the City and County of San Francisco for \$60,000; the lawsuit was filed on 10/31/03 in United States District Court, Case No. C03-4879; entitled Andrew King v. City and County of San Francisco, et al. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee.
12. **041443** **[Settlement of Claim - Barbara Miller]**
Resolution approving the settlement of the unlitigated claim filed by Barbara Miller against San Francisco for \$90,000; claim was filed on April 19, 2004. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee.
13. **041444** **[Settlement of Unlitigated Claim - Margaret Jhin-Walsh]**
Resolution approving the settlement of the unlitigated claim filed by Margaret Jhin-Walsh against San Francisco for \$120,000; claim was filed on February 17, 2004. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee.
14. **041480** **[Settlement of Unlitigated Claim - D. W. Nicholson Corporation]**
Supervisor Daly
Resolution approving the settlement of the unlitigated claim filed by D. W. Nicholson Corporation against the City and County of San Francisco. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee.

15. 041525 [Settlement of Unlitigated Claim - Muzak LLC]
Resolution approving the settlement of the unlitigated claim filed by Muzak LLC against the City and County of San Francisco. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee.
16. 041526 [Settlement of Unlitigated Claim - Intel Corporation]
Resolution approving the settlement of the unlitigated claim filed by Intel Corporation against the City and County of San Francisco. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee.
17. 041551 [Settlement of Lawsuit - People v. Dynegy, et al.]
Supervisor Maxwell
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against the Duke Energy Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been consolidated as Wholesale Electricity Antitrust Cases I & II in the United States District Court, Southern District of California, Case Nos. 02 CV 0990-RHW, CV 02-1000-RHW, 02 CV-1001 RHW; the settlement provides \$500,000 to San Francisco to be used for energy efficiency, renewable energy or environmental justice projects in areas affected by electric generation in San Francisco and \$172 million in benefits to California electric ratepayers, among other provisions.

11/2/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE**(Not to be considered at this meeting)**

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

**041487 [Mayor's Office on Disability]
Supervisor Alioto-Pier**

Ordinance amending the San Francisco Administrative Code by amending the title to Chapter 2A, Article 1 to add the Department of Administrative Services and by adding a new Section 2A.22 to Chapter 2A, Article 1 to create the Mayor's Office on Disability and place it within the Department of Administrative Services and empower the Mayor's Office on Disability to issue, subject to approval by ordinance of the Board of Supervisors, policies and procedures with respect to compliance with the Americans with Disabilities Act (Public Law 101-336) and other disability rights laws and disability access regulations and codes.

10/26/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/25/2004.

**041489 [Regulation of Electioneering Communications]
Supervisors Maxwell, Peskin, Alioto-Pier, McGoldrick, Sandoval**

Ordinance amending Chapter One of Article One of the Campaign and Governmental Conduct Code by adding section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications.

10/26/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/25/2004.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

City Hall
1 Dr. Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Clerk: Linda Laws

Wednesday, November 17, 2004

9:00 AM

City Hall, Room 263

Regular Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

DOCUMENTS DEPT.

MEETING CONVENED

NOV 19 2004

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PUBLIC LIBRARY

The meeting convened at 9:21 a.m.

041354

[Utility Undergrounding Task Force]

Supervisors Dufty, Maxwell, Ma, Alioto-Pier, Gonzalez

Resolution creating a Utility Undergrounding Task Force to advise the City and County of San Francisco concerning the future of utility undergrounding in San Francisco and to complete its work by September 1, 2005.

9/28/04, RECEIVED AND ASSIGNED to Rules Committee.

10/6/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

10/26/04. RESPONSE RECEIVED. No comment.

11/10/04, CONTINUED. Heard in Committee. Speakers: Rebecca Prozan, Legislative Aide to Supervisor Dufty; Dick Millet, Jess Taclas; Gino Graziani. COMCAST.

Continued to 11/17/04.

Heard in Committee. Speakers: Supervisor Bevan Dufty; Barbara Moy, Department of Public Works; Cheryl Adams, Deputy City Attorney; Tom Radulavich; Jess Taclas; Shirley Moore, Bayview Hill Association; Courtney Clarkson; Marc Eiter, Corona Heights Neighbors; John Barby.

Supervisor Gonzalez requested to be added as a co-sponsor.

11/17/04 Amendment of the Whole Bearing Same Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041566 [Appointment - Child Care Planning and Advisory Council]

Hearing to consider appointing one member to the Child Care Planning and Advisory Council.

Vacant seat, succeeding Gwendolyn Henry, resigned, seat 1, must be a nominee of District 1 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of a two-year term ending December 31, 2004.

11/3/04, RECEIVED AND ASSIGNED to Rules Committee 11/10/04 - Notice to appear sent to applicant

Heard in Committee. Speaker: Margaret Jerene, applicant.

Appointment of Margaret Jerene, seat 1, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Margaret Jerene, term ending December 31, 2004, to the Child Care Planning Advisory Council.

Margaret Jerene, succeeding Gwendolyn Henry, resigned, seat 1, must be a nominee of District 1 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of a two-year term ending December 31, 2004.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041567 [Appointment - Child Care Planning and Advisory Council]

Hearing to consider appointing one member to the Child Care Planning and Advisory Council.

Vacant seat, succeeding Gwendolyn Henry, term expiring December 31, 2004, seat 1, must be a nominee of District 1 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a three-year term ending December 31, 2007.

11/3/04, RECEIVED AND ASSIGNED to Rules Committee 11/10/04 - Notice to appear sent to applicant

Heard in Committee. Speaker: Margaret Jerene, applicant.

Appointment of Margaret Jerene, seat 1, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Margaret Jerene, term ending December 31, 2007, to the Child Care Planning Advisory Council.

Margaret Jerene, succeeding herself, term expiring December 31, 2004, seat 1, must be a nominee of District 1 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a three-year term ending December 31, 2007.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041316 [Surplus City Property]**Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by amending Sections 23A.9, 23A.10 and 23A.11 to specify terms for appointed members of the Surplus Property Citizens' Advisory Committee, to clarify the requirements under Administrative Code Section 23.3 applicable to dispositions of surplus and underutilized property, and to clarify policy and procedures for dispositions of City-owned surplus and underutilized real property that is not listed on the annual Surplus Property Report.

9/21/04, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Cheryl Adams, Deputy City Attorney; Supervisor Chris Daly; Emeric Kahlman.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041359 [Western SoMa Citizens Planning Task Force]**Supervisor Daly**

Resolution establishing a 22 member Western SoMa Citizens Planning Task Force.

9/28/04, RECEIVED AND ASSIGNED to Rules Committee.

10/6/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation

10/26/04, RESPONSE RECEIVED. No comment.

Heard in Committee. Speakers: Supervisor Chris Daly; Jim Meeko; Paul Lord, Planning Department.

11/17/04 Amendment of the Whole Bearing Same Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041335 [Designation of County Surveyor]**Supervisor Ma**

Ordinance amending Administrative Code Section 2A.190 and Subdivision Code Section 1307 to designate and distinguish the official titles and duties of City Engineer and County Surveyor and amending Subdivision Code Sections 1310, 1311, 1320, 1324 through 1329, 1340, 1355, 1360 through 1364, and 1397 to reassign responsibilities from the City Engineer to the County Surveyor. (Public Works Department)

9/21/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/4/2004. 10/8/04 - Supervisor Ma requested to be added as sponsor

Heard in Committee. Speakers: Barbara Moy, Department of Public Works; John Malamut, Deputy City Attorney.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

**041189 [Settlement of Bankruptcy Claims Dispute, In re METROMEDIA FIBER NETWORK, INC]
Supervisor Maxwell**

Ordinance authorizing settlement at 75% of face value of disputed bankruptcy creditor claims filed by the City and County of San Francisco against Chapter 11 Debtors, In re METROMEDIA FIBER NETWORK, INC., et al., Chapter 11, Case Nos. 02-22736 (ASH) through 02-22742 (ASH), 02-22744 (ASH) through 02-22746 (ASH), 02-22749 (ASH), and 02-22751 (ASH) through 02-22754 (ASH) (Jointly Administered), (U. S. Bankruptcy Court, Southern District of New York), and directing attorney for Tax Collector to effectuate settlement.

8/17/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041388 [Settlement of Lawsuit - Turlock Irrigation District]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Turlock Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 13, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323717). (City Attorney)

10/7/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041427 [Settlement of Lawsuit - Armstrong, et al., v. CCSF, et al.]

Ordinance authorizing settlement of claims made by James Armstrong in a multi-party action against the City and County of San Francisco for \$50,000.00, placement in Step 3 of current 5173 classification, and payment of the difference between the Step 3 pay rate and the pay rate actually received by James Armstrong retroactive to April 26, 2003; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)

10/8/04, RECEIVED AND ASSIGNED to Rules Committee.

11/10/04, CONTINUED. Continued to 11/17/04.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041437 [Partial Settlement of Lawsuit - Eugene Kalinin, et al.]

Ordinance authorizing partial settlement of the lawsuit filed by Tim Anderson, Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Edward Allen Ellstad, Eugene Kalinin, Daniel Manning, Sonia Mariona, William Morales, Brian J. Perry and Jack Z. Wronski against the City and County of San Francisco for \$240,000; the lawsuit was filed on November 5, 2003, in the United States District Court, Northern District of California, Case No. C-03-4928 MHP; entitled Eugene Kalinin, et al., v. City and County of San Francisco, et al; the partial settlement resolves certain claims in the lawsuit brought by plaintiffs Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Eugene Kalinin, Daniel Manning and Sonia Marion; all plaintiffs have additional claims remaining in the lawsuit. (City Attorney)

10/14/04, RECEIVED AND ASSIGNED to Rules Committee.

11/10/04, CONTINUED. Continued to 11/17/04

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041442 [Settlement of Lawsuit - Andrew King v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Andrew King against the City and County of San Francisco for \$60,000; the lawsuit was filed on 10/31/03 in United States District Court, Case No. C03-4879; entitled Andrew King v. City and County of San Francisco, et al. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041443 [Settlement of Claim - Barbara Miller]

Resolution approving the settlement of the unlitigated claim filed by Barbara Miller against San Francisco for \$90,000; claim was filed on April 19, 2004. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041444 [Settlement of Unlitigated Claim - Margaret Jhin-Walsh]

Resolution approving the settlement of the unlitigated claim filed by Margaret Jhin-Walsh against San Francisco for \$120,000; claim was filed on February 17, 2004. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041480 [Settlement of Unlitigated Claim - D. W. Nicholson Corporation]

Supervisor Daly

Resolution approving the settlement of the unlitigated claim filed by D. W. Nicholson Corporation against the City and County of San Francisco. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041525 [Settlement of Unlitigated Claim - Muzak LLC]

Resolution approving the settlement of the unlitigated claim filed by Muzak LLC against the City and County of San Francisco. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041526 [Settlement of Unlitigated Claim - Intel Corporation]

Resolution approving the settlement of the unlitigated claim filed by Intel Corporation against the City and County of San Francisco. (City Attorney)

10/25/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041551 [Settlement of Lawsuit - People v. Dynegy, et al.]

Supervisor Maxwell

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against the Duke Energy Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been consolidated as Wholesale Electricity Antitrust Cases I & II in the United States District Court, Southern District of California, Case Nos. 02 CV 0990-RHW, CV 02-1000-RHW, 02 CV-1001 RHW; the settlement provides \$500,000 to San Francisco to be used for energy efficiency, renewable energy or environmental justice projects in areas affected by electric generation in San Francisco and \$172 million in benefits to California electric ratepayers, among other provisions.

11/2/04, RECEIVED AND ASSIGNED to Rules Committee.

11/17/04 Amendment of the Whole Bearing Same Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

Deputy City Attorney Cheryl Adams reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 11:19 a.m.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF CANCELLED MEETING

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the meeting of the Rules Committee scheduled for
Wednesday, November 24, 2004, at 9:00 a.m., at 1 Dr. Carlton B. Goodlett Place,
Room 263, City Hall, San Francisco, California, has been **cancelled**.

Gloria L. Young, Clerk of the Board

DOCUMENTS DEPT.

NOV 19 2004

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RULES COMMITTEE
S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689

IMPORTANT HEARING NOTICE!!!



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

Wednesday, December 01, 2004

9:30 AM

City Hall, Room 263

Rescheduled Meeting

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Rules Committee on Wednesday, December 1, 2004, at 9:00 a.m. HAS BEEN RESCHEDULED TO Wednesday, December 1, 2004 at 9:30 a.m. and will be held in Room 263, Second Floor, City Hall.

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

DOCUMENTS DEPT.

NOV 24 2004

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11-24-J4A09-18 RLV0

1. 041572 [Board Off-site Meeting]
Supervisor Ammiano

Motion ordering the City and School District Select Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, January 10, 2005, at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.

11/16/04, RECEIVED AND ASSIGNED to Rules Committee.

2. **041456 [Contribution Limits for Contractors Doing Business with the Unified School District and Community College District]**
 Supervisors Gonzalez, Alioto-Pier
 Ordinance amending section 1.126 of the Campaign and Governmental Conduct Code to extend the contractor contribution limits imposed by that section to contractors doing business with the San Francisco Unified School District and the San Francisco Community College District.

 10/19/04, RECEIVED AND ASSIGNED to Rules Committee.
3. **041395 [Notification in the Voter Information Pamphlet of a candidate's adoption of voluntary expenditure ceiling]**
 Supervisor Gonzalez
 Ordinance amending section 1.128 of the San Francisco Campaign and Governmental Conduct Code to specify the size and content of the notice in the Voter Information Pamphlet regarding whether a candidate has adopted the applicable voluntary expenditure ceiling.

 10/5/04, RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

041570 [Conflict of Interest Code Amendments]**Supervisor Gonzalez**

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-205, 3.1-218, 3.1-230, 3.1-245, 3.1-265, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-315, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-410, 3.1-420, 3.1-430, 3.1-435, and 3.1-440; deleting sections 3.1-255 and 3.1-268; and adding section 3.1-222 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories.

11/16/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/16/2004

041571 [Chapter 6 Technical Amendments]**Supervisors Ma, Peskin**

Ordinance amending San Francisco Administrative Code Chapter 6 to update section 6.2, to add new section 6.9 concerning subcontractor limitation of rights, to add new subsection 6.20(F) for a bidder prequalification process, to add new subsection 6.21(A)(10) to allow a specification requirement for contractor work with its own forces, to revise subsection 6.21(C) to allow a department head to reject all bids, to revise subsection 6.22(J) concerning retention of progressive payments, to add a new subsection 6.22(Q) concerning public work contract claims, to revise section 6.41 concerning subsequent phase competition for design services, to revise section 6.60 emergency contracting procedures, to revise section 6.61 design-build contracting procedures, to revise section 6.62 job order contracting procedures, to revise 6.64 as-needed contracting procedures, and to revise section 6.65 special service contracting procedures.

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RULES COMMITTEE
S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689

IMPORTANT HEARING NOTICE!!!



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, December 01, 2004

9:30 AM

City Hall, Room 263

Rescheduled Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED

DOCUMENTS DEPT.

DEC - 3 2004

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The meeting convened at 9:35 a.m.

041572 [Board Off-site Meeting]

Supervisor Ammiano

0. 84
Motion ordering the City and School District Select Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, January 10, 2005, at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.

11/16/04, RECEIVED AND ASSIGNED to Rules Committee.

1/1/04
Heard in Committee. Speaker: Milton Marks, III, City College Board.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041456 [Contribution Limits for Contractors Doing Business with the Unified School District and Community College District]

Supervisors Gonzalez, Alioto-Pier

Ordinance amending section 1.126 of the Campaign and Governmental Conduct Code to extend the contractor contribution limits imposed by that section to contractors doing business with the San Francisco Unified School District and the San Francisco Community College District.

10/19/04, RECEIVED AND ASSIGNED to Rules Committee. 11/23/04 - Board of Education notified of meeting.

12/01/04 - Referred to Ethics Commission for review and recommendation.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Milton Marks, III, City College Board; Mabel Ng, Ethics Commission.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041395 [Notification in the Voter Information Pamphlet of a candidate's adoption of voluntary expenditure ceiling]

Supervisor Gonzalez

Ordinance amending section 1.128 of the San Francisco Campaign and Governmental Conduct Code to specify the size and content of the notice in the Voter Information Pamphlet regarding whether a candidate has adopted the applicable voluntary expenditure ceiling.

10/5/04, RECEIVED AND ASSIGNED to Rules Committee. 11/24/04 - Dept. of Elections notified of meeting.

12/01/04 - Referred to Ethics Commission for review and recommendation.

Heard in Committee. Speakers: John Artz, Department of Elections; Mabel Ng, Ethics Commission; Ted Lakey, Deputy City Attorney.

12/1/04 Amendment of the Whole Bearing Same Title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 10:03 a.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: *Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez*

Clerk: *Linda Laws*

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, December 08, 2004

9:30 AM

City Hall, Room 263

Rescheduled Meeting

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Rules Committee on Wednesday, December 8, 2004, at 9:00 a.m. HAS BEEN RESCHEDULED TO Wednesday, December 8, 2004 at 9:30 a.m. and will be held in Room 263, Second Floor, City Hall.

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

DOCUMENTS DEPT

AGENDA CHANGES

DEC - 3 2004

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REGULAR AGENDA

12-03-04 ADD R 10

1. 041669 [Appointment - Bay Area Air Quality Management District Board of Directors]
Hearing to consider appointing one member to the Bay Area Air Quality Management District Board of Directors.

1 seat being considered

Vacant seat, succeeding Supervisor Chris Daly, term expiring February 1, 2005, seat 2, must be a member of the Board of Supervisors, for a four-year term ending February 1, 2009.

12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/2/04 - Bay Area Air Quality Management District notified of meeting.

1 seat/1 applicant

Supervisor Chris Daly, seat 2

2. 041668 **[Appointment - Commission on the Aging Advisory Council]**
Hearing to consider appointing one member to the Commission on the Aging Advisory Council.
- 1 seat being considered
Vacant seat, succeeding Luis Calderon, term expired, seat 7, must be nominee of District 8 Supervisor, for the unexpired portion of a two-year term ending March 31, 2006.
- 12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/02/04 - Commission on the Aging Advisory Council notified of meeting.
1 seat/1 applicant
Luis Calderon, seat 7
3. 041050 **[Appointment - Veterans Affairs Commission]**
Hearing to consider appointing one member to the Veterans Affairs Commission.
- 1 seat being considered
Vacant seat, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.
- 7/22/04, RECEIVED AND ASSIGNED to Rules Committee. 12/2/04 - Veterans Affairs Commission notified of meeting.
7/28/04, CONTINUED TO CALL OF THE CHAIR. Speakers: None.
1 seat/2 applicants
Jason Callan, seat 10
Brian Zweir, seat undeclared
4. 041579 **[Charter Amendment Deadlines]**
Supervisor Elsbernd
Ordinance amending Section 305 of the Elections Code to require introduction of proposed Charter Amendments not less than 210 days prior to an election and to require an informational committee hearing regarding the proposed Charter Amendment no earlier than 30 days nor later than 60 days after introduction of the proposed Charter Amendment.
- 11/16/04, RECEIVED AND ASSIGNED to Rules Committee.
12/2/04, CLERICAL CORRECTION. 12/2/04 - Amend the title on page 1 line 3, after "amending" add "Section".
5. 041487 **[Mayor's Office on Disability]**
Supervisor Alioto-Pier
Ordinance amending the San Francisco Administrative Code by amending the title to Chapter 2A, Article 1 to add the Department of Administrative Services and by adding a new Section 2A.22 to Chapter 2A, Article 1 to create the Mayor's Office on Disability and place it within the Department of Administrative Services and empower the Mayor's Office on Disability to issue, subject to approval by ordinance of the Board of Supervisors, policies and procedures with respect to compliance with the Americans with Disabilities Act (Public Law 101-336) and other disability rights laws and disability access regulations and codes.
- 10/26/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/25/2004.

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

6. 041484 [Settlement of the Lawsuit - Pamela Nash]

Ordinance authorizing settlement of the lawsuit filed by Pamela Nash against the City and County of San Francisco for \$100,000; the lawsuit was filed on February 7, 2003, in the United States District Court, Northern District of California, Case No. C-03-01221-CW; entitled Pamela Nash v. City and County of San Francisco, et. al.

11/1/04, RECEIVED AND ASSIGNED to Rules Committee.

7. 041514 [Settlement of Claim - Jon Wesley Hopkins]

Resolution approving the settlement of the unlitigated claim filed by Jon Wesley Hopkins against San Francisco for \$35,000; claim was filed on August 4, 2004. (City Attorney)

11/4/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE**(Not to be considered at this meeting)**

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041570 [Conflict of Interest Code Amendments]**Supervisor Gonzalez**

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-205, 3.1-218, 3.1-230, 3.1-245, 3.1-265, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-315, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-410, 3.1-420, 3.1-430, 3.1-435, and 3.1-440; deleting sections 3.1-255 and 3.1-268; and adding section 3.1-222 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories.

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041571 [Chapter 6 Technical Amendments]**Supervisors Ma, Peskin**

Ordinance amending San Francisco Administrative Code Chapter 6 to update section 6.2, to add new section 6.9 concerning subcontractor limitation of rights, to add new subsection 6.20(F) for a bidder prequalification process, to add new subsection 6.21(A)(10) to allow a specification requirement for contractor work with its own forces, to revise subsection 6.21(C) to allow a department head to reject all bids, to revise subsection 6.22(J) concerning retention of progressive payments, to add a new subsection 6.22(Q) concerning public work contract claims, to revise section 6.41 concerning subsequent phase competition for design services, to revise section 6.60 emergency contracting procedures, to revise section 6.61 design-build contracting procedures, to revise section 6.62 job order contracting procedures, to revise 6.64 as-needed contracting procedures, and to revise section 6.65 special service contracting procedures.

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City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, December 08, 2004

9:30 AM

City Hall, Room 263

Rescheduled Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED

DOCUMENTS DEPT.

DEC 10 2004

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The meeting convened at 9:36 a.m.

REGULAR AGENDA

041669 [Appointment - Bay Area Air Quality Management District Board of Directors]

Hearing to consider appointing one member to the Bay Area Air Quality Management District Board of Directors.

1 seat being considered

Vacant seat, succeeding Supervisor Chris Daly, term expiring February 1, 2005, seat 2, must be a member of the Board of Supervisors, for a four-year term ending February 1, 2009.

12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/2/04 - Bay Area Air Quality Management District notified of meeting.

Heard in Committee. Speaker: Supervisor Chris Daly.

Appointment of Supervisor Chris Daly, seat 2, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Supervisor Chris Daly, term ending February 1, 2009, to the Bay Area Air Quality Management District Board of Directors.

Supervisor Chris Daly, succeeding himself, term expiring February 1, 2005, seat 2, must be a member of the Board of Supervisors, for a new four-year term ending February 1, 2009.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

041668 [Appointment - Commission on the Aging Advisory Council]

Hearing to consider appointing one member to the Commission on the Aging Advisory Council.

1 seat being considered

Vacant seat, succeeding Luis Calderon, term expired, seat 7, must be nominee of District 8 Supervisor, for the unexpired portion of a two-year term ending March 31, 2006.

12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/02/04 - Commission on the Aging Advisory Council notified of meeting.

Heard in Committee. Speaker: Luis Calderon, applicant.

Appointment of Luis Calderon, seat 7, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Luis Calderon, term ending March 31, 2006, to the Commission on the Aging Advisory Council.

Luis Calderon, succeeding himself, term expired, seat 7, must be nominee of District 8 Supervisor, for the unexpired portion of a two-year term ending March 31, 2006.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

041050 [Appointment - Veterans Affairs Commission]

Hearing to consider appointing one member to the Veterans Affairs Commission.

1 seat being considered

Vacant seat, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.

7/22/04, RECEIVED AND ASSIGNED to Rules Committee. 12/2/04 - Veterans Affairs Commission notified of meeting.

7/28/04, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

Heard in Committee. Speaker: Brian Zweir, applicant; Wallace Levin, Veterans Affairs Commission.

Appointment of Brian Zweir, seat 10, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Brian Zweir, term ending January 31, 2006, to the Veterans Affairs Commission.

Brian Zweir, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041579 [Charter Amendment Deadlines]**Supervisor Elsbernd**

Ordinance amending Section 305 of the Elections Code to require introduction of proposed Charter Amendments not less than 210 days prior to an election and to require an informational committee hearing regarding the proposed Charter Amendment no earlier than 30 days nor later than 60 days after introduction of the proposed Charter Amendment.

Supervisor Gonzalez dissented in Committee.

11/16/04, RECEIVED AND ASSIGNED to Rules Committee.

12/2/04, CLERICAL CORRECTION. 12/2/04 - Amend the title on page 1 line 3, after "amending" add "Section".

Heard in Committee. Speakers: Supervisor Sean Elsbernd; Ted Lakey, Deputy City Attorney; Francisco da Costa.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Alioto-Pier

Noes: 1 - Gonzalez

041487 [Mayor's Office on Disability]**Supervisor Alioto-Pier**

Ordinance amending the San Francisco Administrative Code by amending the title to Chapter 2A, Article 1 to add the Department of Administrative Services and by adding a new Section 2A.22 to Chapter 2A, Article 1 to create the Mayor's Office on Disability and place it within the Department of Administrative Services and empower the Mayor's Office on Disability to issue, subject to approval by ordinance of the Board of Supervisors, policies and procedures with respect to compliance with the Americans with Disabilities Act (Public Law 101-336) and other disability rights laws and disability access regulations and codes.

10/26/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/25/2004.

Heard in Committee. Speakers: Susan Mizner, Mayor's Office on Disability; Richard Ow; Jakkee Bryson; Francisco da Costa.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

LITIGATION**Conference with City Attorney**

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session.

Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041484 [Settlement of the Lawsuit - Pamela Nash]

Ordinance authorizing settlement of the lawsuit filed by Pamela Nash against the City and County of San Francisco for \$100,000; the lawsuit was filed on February 7, 2003, in the United States District Court, Northern District of California, Case No. C-03-01221-CW; entitled Pamela Nash v. City and County of San Francisco, et. al.

11/1/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041514 [Settlement of Claim - Jon Wesley Hopkins]

Resolution approving the settlement of the unlitigated claim filed by Jon Wesley Hopkins against San Francisco for \$35,000; claim was filed on August 4, 2004. (City Attorney)

11/4/04, RECEIVED AND ASSIGNED to Rules Committee

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

Deputy City Attorney Cheryl Adams reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 11:05 a.m.



City and County of San Francisco

Meeting Agenda

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, December 15, 2004

9:30 AM

City Hall, Room 263

Rescheduled Meeting

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Rules Committee on Wednesday, December 15, 2004, at 9:00 a.m. HAS BEEN RESCHEDULED TO Wednesday, December 15, 2004 at 9:30 a.m. and will be held in Room 263, Second Floor, City Hall.

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

DOCUMENTS DEPT.

AGENDA CHANGES

DEC 10 2004

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REGULAR AGENDA

12-10-04 A09:01 RCT

1. 041671 [Appointment - Golden Gate Bridge, Highway and Transportation District]
Hearing to consider appointing one member to the Golden Gate Bridge, Highway and Transportation District.

1 seat being considered

Vacant seat, succeeding Supervisor Michela Alioto-Pier, resigned, seat 5, must be member of the Board of Supervisors, for the unexpired portion of a two-year term ending January 31, 2005.

12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/6/04 - Notified Golden Gate Bridge, Highway and Transportation District.

1 seat/1 applicant

Supervisor Bevan Duffy, seat 5

2. **041674 [Appointment - Bay Area Air Quality Management District Board of Directors]**
Hearing to consider appointing one member to the Bay Area Air Quality Management District Board of Directors.
- 1 seat being considered
Vacant seat, succeeding Supervisor Jake McGoldrick, term expiring February 1, 2005, seat 1, must be a member of the Board of Supervisors, for a new four-year term ending February 1, 2009.
- 12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/8/04 - Notified Bay Area Air Quality Management District Board.
- 1 seat/1 applicant*
Supervisor Jake McGoldrick, seat 1
3. **041667 [Appointment - Citizens' General Obligation Bond Oversight Committee]**
Hearing to consider appointing two members to the Citizens' General Obligation Bond Oversight Committee.
- 2 seats being considered
Vacant seat, succeeding William Wong, term expired November 21, 2004, seat 2, must be active in labor organizations, for the unexpired portion of a two-year term ending November 21, 2006.
Vacant seat, succeeding John Hentz, term expired November 21, 2004, seat 3, must be active in a community organization, for the unexpired portion two-year term ending November 21, 2006.
- 12/1/04, ASSIGNED to Rules Committee. 12/8/04 - Notified Citizens' General Obligation Bond Oversight Committee; notice to appear sent to applicants.
- 2 seats/2 applicants*
William Wong, seat 2 (residency waiver required)
John Hentz, seat 3
4. **041670 [Appointment - Ballot Simplification Committee]**
Hearing to consider appointing three members to the Ballot Simplification Committee.
- 3 seats being considered
Vacant seat, succeeding Alma Carroll, term expired, seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2006.
Vacant seat, succeeding Betty Packard, term expired, seat 2, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2006.
Vacant seat, succeeding Suzanne Strassevitch, term expired, seat 3, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2006.
- 12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/8/04 - Notified Department of Elections; notice to appear sent to applicants.
- 3 seats/3 applicants*
Alma Carroll, seat 1
Betty Packard, seat 2
Suzanne Strassevitch, seat 3

5. **041672 [Appointment - Developmental Disabilities Area Board V]**
Hearing to consider appointing two members to the Developmental Disabilities Area Board V.
- 2 seats being considered
Vacant seat, succeeding Levi Nnaemeka, term expiring December 31, 2004, seat 1, represents general public, for a new three-year term ending December 31, 2007.
Vacant seat, succeeding Sara Desumala, term expiring December 31, 2004, seat 2, must have a demonstrated interest and leadership in human services, for a new three-year term ending December 31, 2007.
- 12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/8/04 - Notified Developmental Disabilities Area Board V; notice to appear sent to applicants.
2 seats/2 applicants
Levi Nnaemeka, seat undeclared
Jennifer Walsh, seat undeclared
6. **041715 [Appointment - Bicycle Advisory Committee]**
Hearing to consider appointing one member to the Bicycle Advisory Committee.
- 1 seat being considered
Vacant seat, succeeding William Henning, term expired, must be a nominee of District 7 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2006 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.
- 12/6/04, RECEIVED AND ASSIGNED to Rules Committee. 12/8/04 - Notified Bicycle Advisory Committee; notice to appear sent to applicant.
1 seat/1 applicant
Elbert Hill, seat 7
7. **041167 [Appointment - Library Citizens Advisory Committee]**
Hearing to consider appointing one member to the Library Citizens Advisory Committee.
- 1 seat being considered.
Vacant seat, new appointment, seat 13, must be a member from the community at large, representative of New Americans for whom English is a second language, for the unexpired portion of a two-year term ending July 18, 2006.
- 8/11/04, RECEIVED AND ASSIGNED to Rules Committee. 12/8/04 - Notified Main Library and Library Citizens Advisory Committee; notice to appear sent to applicant.
8/11/04, CONTINUED TO CALL OF THE CHAIR. Divided from File 041106.
1 seat/1 applicant
Maryam Daryabegi-Farhang, seat 13

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

8. **041606** **[Settlement of Lawsuit - Eugene Duffy]**
Ordinance authorizing settlement of the lawsuit filed by Eugene Duffy against the City and County of San Francisco for \$30,000; the lawsuit was filed on June 13, 2003, in San Francisco Superior Court, Case No. 421395; entitled Eugene Duffy, et al., v. City and County of San Francisco, et al. (City Attorney)

11/19/04, RECEIVED AND ASSIGNED to Rules Committee.
9. **041634** **[Settlement of Unlitigated Claim]**
Resolution approving the settlement of the unlitigated Claim No. 04-03446 filed by National Mutual Insurance Company as subrogee for the Chinese American War Veterans on May 10, 2004 against the City and County of San Francisco for \$61,192.99. (City Attorney)

11/29/04, RECEIVED AND ASSIGNED to Rules Committee.
10. **041648** **[Settlement of Lawsuit - Steve Potter]**
Ordinance authorizing settlement of the lawsuit filed by Steve Potter against the City and County of San Francisco for \$50,000 paid to the City and County of San Francisco by Cross-Defendant OneBeacon; the lawsuit was filed on March 20, 2003 in the United States District Court, Case No. C03-1217 MEJ; entitled Steve Potter, et al., v. City and County of San Francisco, et al; other material terms of said settlement are Cross-Defendant OneBeacon will pay \$195,000 to plaintiff and plaintiff's counsel and \$100,000 to co-defendant Palace of Fine Arts Theater League. (City Attorney)

12/2/04, RECEIVED AND ASSIGNED to Rules Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

041570 [Conflict of Interest Code Amendments]

Supervisor Gonzalez

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-205, 3.1-218, 3.1-230, 3.1-245, 3.1-265, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-315, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-410, 3.1-420, 3.1-430, 3.1-435, and 3.1-440; deleting sections 3.1-255 and 3.1-268; and adding section 3.1-222 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories.

11/16/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/16/2004.

12/8/04, REFERRED TO DEPARTMENT. Referred to Ethics Commission for review and recommendation.

041571 [Chapter 6 Technical Amendments]

Supervisors Ma, Peskin

Ordinance amending San Francisco Administrative Code Chapter 6 to update section 6.2, to add new section 6.9 concerning subcontractor limitation of rights, to add new subsection 6.20(F) for a bidder prequalification process, to add new subsection 6.21(A)(10) to allow a specification requirement for contractor work with its own forces, to revise subsection 6.21(C) to allow a department head to reject all bids, to revise subsection 6.22(J) concerning retention of progressive payments, to add a new subsection 6.22(Q) concerning public work contract claims, to revise section 6.41 concerning subsequent phase competition for design services, to revise section 6.60 emergency contracting procedures, to revise section 6.61 design-build contracting procedures, to revise section 6.62 job order contracting procedures, to revise 6.64 as-needed contracting procedures, and to revise section 6.65 special service contracting procedures.

11/16/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/16/2004.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
- Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
- The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez

Clerk: Linda Laws

City Hall
1 Dr Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, December 15, 2004

9:30 AM

City Hall, Room 263

Rescheduled Meeting

Members Present: Sophie Maxwell, Michela Alioto-Pier, Matt Gonzalez.

MEETING CONVENED

The meeting convened at 9:40 a.m.

DOCUMENTS DEPT.

DEC 20 2004

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR MEETING

041671 [Appointment - Golden Gate Bridge, Highway and Transportation District]

Hearing to consider appointing one member to the Golden Gate Bridge, Highway and Transportation District.

1 seat being considered

Vacant seat, succeeding Supervisor Michela Alioto-Pier, resigned, seat 5, must be member of the Board of Supervisors, for the unexpired portion of a two-year term ending January 31, 2005.

12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/6/04 - Notified Golden Gate Bridge, Highway and Transportation District.

Speakers: None.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Supervisor Bevan Dufty, term ending January 31, 2005, to the Board of Directors, the Golden Gate Bridge, Highway and Transportation District.

Supervisor Bevan Dufty, succeeding Supervisor Michela Alioto-Pier, resigned, seat 5, must be member of the Board of Supervisors, for the unexpired portion of a two-year term ending January 31, 2005.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

041674 [Appointment - Bay Area Air Quality Management District Board of Directors]

Hearing to consider appointing one member to the Bay Area Air Quality Management District Board of Directors.

1 seat being considered

Vacant seat, succeeding Supervisor Jake McGoldrick, term expiring February 1, 2005, seat 1, must be a member of the Board of Supervisors, for a new four-year term ending February 1, 2009.

12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/8/04 - Notified Bay Area Air Quality Management District Board.

Speakers: None.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Supervisor Jake McGoldrick, term ending February 1, 2009, to the Bay Area Air Quality Management District Board of Directors.

Supervisor Jake McGoldrick, succeeding himself, term expiring February 1, 2005, seat 1, must be a member of the Board of Supervisors, for a new four-year term ending February 1, 2009.

RECOMMENDED.. by the following vote:

Ayes: 2 - Maxwell, Gonzalez

Absent: 1 - Alioto-Pier

041667 [Appointment - Citizens' General Obligation Bond Oversight Committee]

Hearing to consider appointing two members to the Citizens' General Obligation Bond Oversight Committee.

2 seats being considered

Vacant seat, succeeding William Wong, term expired November 21, 2004, seat 2, must be active in labor organizations, for the unexpired portion of a two-year term ending November 21, 2006.

Vacant seat, succeeding John Hentz, term expired November 21, 2004, seat 3, must be active in a community organization, for the unexpired portion two-year term ending November 21, 2006.

12/1/04, ASSIGNED to Rules Committee. 12/8/04 - Notified Citizens' General Obligation Bond Oversight Committee; notice to appear sent to applicants.

Heard in Committee. Speakers: William Wong and John Hentz, applicants.

Appointments of William Wong, seat 2 (residency requirement waived) and John Hentz, seat 3, recommended. Supervisor Elsbernd requested to be added as sponsor.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing William Wong and John Hentz, terms ending November 21, 2006, to the Citizens' General Obligation Bond Oversight Committee; residency requirement waived.

William Wong (residency requirement waived), succeeding himself, term expired November 21, 2004, seat 2, must be active in labor organizations, for the unexpired portion of a two-year term ending November 21, 2006. John Hentz, succeeding himself, term expired November 21, 2004, seat 3, must be active in a community organization, for the unexpired portion two-year term ending November 21, 2006.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041670 [Appointment - Ballot Simplification Committee]

Resolution appointing Alma Carroll, Betty Packard and Suzanne Strassevitch, terms ending November 30, 2006, to the Ballot Simplification Committee.

Alma Carroll, succeeding herself, term expired, seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2006.

Betty Packard, succeeding herself, term expired, seat 2, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2006.

Suzanne Strassevitch, succeeding herself, term expired, seat 3, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2006.

12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/8/04 - Notified Department of Elections; notice to appear sent to applicants.

Heard in Committee. Speakers: Betty Packard, Alma Carroll, Suzanne Strassevitch, applicants.

Appointments of Alma Carroll, seat 1; Betty Packard, seat 2; Suzanne Strassevitch, seat 3, recommended

PREPARED IN COMMITTEE AS A RESOLUTION.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041672 [Appointment - Developmental Disabilities Area Board V]

Hearing to consider appointing two members to the Developmental Disabilities Area Board V.

2 seats being considered

Vacant seat, succeeding Levi Nnaemeka, term expiring December 31, 2004, seat 1, represents general public, for a new three-year term ending December 31, 2007.

Vacant seat, succeeding Sara Desumala, term expiring December 31, 2004, seat 2, must have a demonstrated interest and leadership in human services, for a new three-year term ending December 31, 2007.

12/1/04, RECEIVED AND ASSIGNED to Rules Committee. 12/8/04 - Notified Developmental Disabilities Area Board V; notice to appear sent to applicants.

Heard in Committee. Speaker: Jennifer Walsh, applicant.

Appointment of Jennifer Walsh, seat 2, recommended. Seat 1 divided and continued to Call of Chair. See File No. 041776.

DIVIDED.

Hearing to consider appointing one member to the Developmental Disabilities Area Board V.

1 seat being considered

Vacant seat, succeeding Sara Desumala, term expiring December 31, 2004, seat 2, must have a demonstrated interest and leadership in human services, for a new three-year term ending December 31, 2007.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Jennifer Walsh, term ending December 31, 2007, to the Developmental Disabilities Area Board V.

Jennifer Walsh, succeeding Sara Desumala, term expiring December 31, 2004, seat 2, must have a demonstrated interest and leadership in human services, for a new three-year term ending December 31, 2007.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041715 [Appointment - Bicycle Advisory Committee]

Hearing to consider appointing one member to the Bicycle Advisory Committee.

1 seat being considered

Vacant seat, succeeding William Henning, term expired, must be a nominee of District 7 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2006 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

12/6/04, RECEIVED AND ASSIGNED to Rules Committee. 12/8/04 - Notified Bicycle Advisory Committee; notice to appear sent to applicant.

Heard in Committee. Speakers: Supervisor Sean Elsbernd; Elbert Hill, applicant.

Appointment of Elbert Hill, seat 7, recommended.

Supervisor Elsbernd requested to be added as sponsor.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Elbert Hill, term ending November 19, 2006, to the Bicycle Advisory Committee.

Elbert Hill, succeeding William Henning, term expired, seat 7, must be a nominee of District 7 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041167 [Appointment - Library Citizens Advisory Committee]

Hearing to consider appointing one member to the Library Citizens Advisory Committee.

1 seat being considered.

Vacant seat, new appointment, seat 13, must be a member from the community at large, representative of New Americans for whom English is a second language, for the unexpired portion of a two-year term ending July 18, 2006.

8/11/04, RECEIVED AND ASSIGNED to Rules Committee. 12/8/04 - Notified Main Library and Library Citizens Advisory Committee; notice to appear sent to applicant.

8/11/04, CONTINUED TO CALL OF THE CHAIR. Divided from File 041106.

Heard in Committee. Speaker: Maryam Daryabegi-Farhang, applicant.

Appointment of Maryam Daryabegi-Farhang, seat 13, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Maryam Daryabegi-Farhang, term ending July 18, 2006, to the Library Citizens Advisory Committee.

Maryam Daryabegi-Farhang, new appointment, seat 13, must be a member from the community at large, representative of New Americans for whom English is a second language, for the unexpired portion of a two-year term ending July 18, 2006.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

LITIGATION

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Rules Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041606 [Settlement of Lawsuit - Eugene Duffy]

Ordinance authorizing settlement of the lawsuit filed by Eugene Duffy against the City and County of San Francisco for \$30,000; the lawsuit was filed on June 13, 2003, in San Francisco Superior Court, Case No. 421395; entitled Eugene Duffy, et al., v. City and County of San Francisco, et al. (City Attorney)

11/19/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041634 [Settlement of Unlitigated Claim]

Resolution approving the settlement of the unlitigated Claim No. 04-03446 filed by National Mutual Insurance Company as subrogee for the Chinese American War Veterans on May 10, 2004 against the City and County of San Francisco for \$61,192.99. (City Attorney)

11/29/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

041648 [Settlement of Lawsuit - Steve Potter]

Ordinance authorizing settlement of the lawsuit filed by Steve Potter against the City and County of San Francisco for \$50,000 paid to the City and County of San Francisco by Cross-Defendant OneBeacon; the lawsuit was filed on March 20, 2003 in the United States District Court, Case No. C03-1217 MEJ; entitled Steve Potter, et al., v. City and County of San Francisco, et al; other material terms of said settlement are Cross-Defendant OneBeacon will pay \$195,000 to plaintiff and plaintiff's counsel and \$100,000 to co-defendant Palace of Fine Arts Theater League. (City Attorney)

12/2/04, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

Deputy City Attorney Cheryl Adams reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose by the following vote:

Ayes: 3 - Maxwell, Alioto-Pier, Gonzalez

ADJOURNMENT

The meeting adjourned at 10:45 a.m.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF CANCELLED MEETINGS

VARIOUS COMMITTEES

SAN FRANCISCO BOARD OF SUPERVISORS

DOCUMENTS DE

DEC 20 2004

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12-20-04 10:51 AM

NOTICE IS HEREBY GIVEN that regularly scheduled meetings of the following San Francisco Board of Supervisors Committees have been **cancelled**:

<u>Committee</u>	<u>Date</u>
Budget	December 23, 2004
City Services	December 23 and 30, 2004
Finance and Audits	December 22 and 29, 2004 January 6, 2005
Land Use	December 20 and 27, 2004
Rules	December 22 and 29, 2004

Gloria L. Young, Clerk of the Board

